FRANK O'HARA'S NEW YORK STORY

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What Hath Ruth Wrought?

Judge Ginsburg vs. the New Feminism

by Jeffrey Rosen

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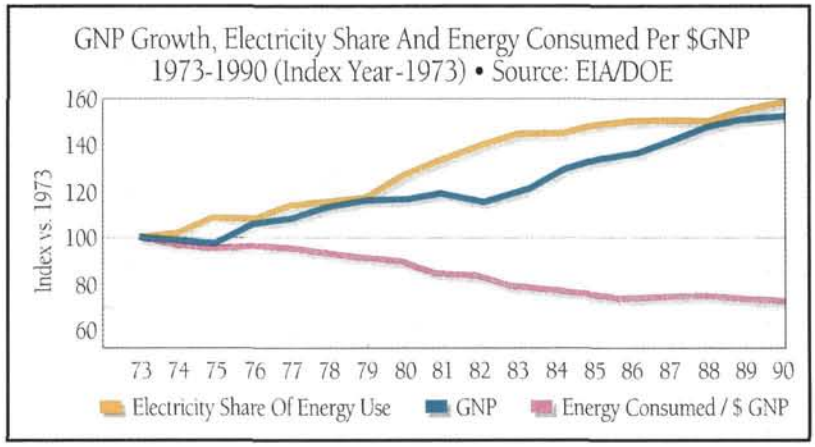
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1973-1990 (Index Year-1973) • Source: EIA/DOE
Index vs. 1973
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GNP
Energy Consumed / $ GNP

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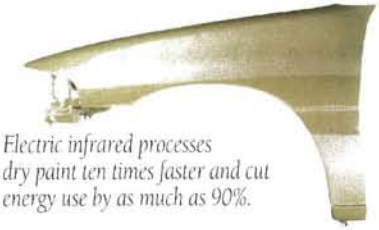

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CORRESPONDENCE

Campus clash

To the editors:

I have one criticism of Jim Sleeper's otherwise excellent article regarding the suppression of debate on university campuses in the name of creating "diversity" ("Anti-Anti-Racist, June 28). I don't believe "political correctness" is really a left-wing movement or anything like "fellow traveling" in the Old Left. Any resemblance is purely superficial. Is anyone really naive enough to believe that university presidents, chancellors and other high-level administrators are "champions of the oppressed" or "tenured radicals" devoted to some revolutionary overthrow of the powerful and the privileged? What a joke! Almost all of them are virulently anti-union and fight like hell to retain as much power as possible over their employees. They generally have only contempt for the clericals, blue-collar workers, teaching assistants, etc. who actually do the work that keeps the universities running. Indeed, if you want to know how "progressive" a university administration is, ask the campus labor unions, not the student or faculty "radicals."

If universities truly want to help the disadvantaged, they should use their resources and political clout to help local school districts improve the quality of education for the poor and working-class children of *all* races and ethnic groups. There are so very many intelligent, hard-working students who are academically handicapped by inferior schools and family deficiencies that are no fault of their own. Until universities seriously address the issue of class discrimination and class disadvantages, we can assume that their current obsessions with race, sex and sexual orientation etc. are moral facades designed to hide the brutal realities of class and the determination of elites to retain their power over class "inferiors" of all races.

A. D. POWELL
Madison, Wisconsin

Slanderous

To the editors:

Your "Hate Story" about Charles Ogletree (June 7) is unethical journalism. You trumpeted false and slanderous rumors about a person that had nowhere else appeared in public press. There are circumstances that justify such journalism. When a slanderous rumor, even though false, is nonetheless an essential part of the story of a newsworthy event, then a journalist should report it. Suppose, for example, a company's stock plunges because of a false rumor that its CEO is about to be indicted. The substance of the false rumor should be reported because its consequences make it genuinely newsworthy.

But an ethical journalist, sensitive to the dangers of trumpeting a false rumor, would make sure that real news justified the story, and would even then take extreme care to avoid misimpression and achieve balance in presentation of the story. What was the news in your "Hate Story"? Merely that a rumor, known to be false, and never previously published, was circulating among some uninformed students and faculty at Harvard Law School? Above and beyond that, your story makes no other points.

What expressed your care in presentation? Such care would be expressed in a story's headline, lead and conclusion. The headline trumpets Hate; your lead speaks of affirmative action schemes; your conclusion equivocates. Nowhere in these key determinants of a journalistic story's impact do the words "false rumor" appear.

An ethical journalist would try to mitigate and balance the injury inevitably done through reportage of the false rumor. Your story does not do so. You never mention Professor Ogletree's stellar reputation for intelligence and integrity, but rather say only deep in the body of the story that the scurrilous anonymous accusations against him are false. Where is the balance that would come from reporting Professor Ogletree's extraordinary accomplishments and the extraordinary regard in which the Harvard Law School community holds him?

In fact, in his teaching Professor Ogletree is brilliant, a master of the Socratic question, as those who have seen him teach on PBS can judge. Furthermore, in his tenure article, Professor Ogletree explores his actions and feelings in connection with the murder of his sister, when suddenly his perspective was forced to shift from criminal defense lawyer to victim's closest kin. Professor Ogletree's article makes an important intellectual contribution to the literature of the law.

I quote my letter to his tenure file: "Charles Ogletree is the smartest man I know.... He has a calmness of judgment that allows him to navigate through the toughest of obstacles in new places, be they academic or political. He has the wisdom to see all problems as human and the heart to relate to everyone."

CHARLES NESSON
Harvard Law School
Cambridge, Massachusetts

The editors reply:

Ruth Shalit's article, "Hate Story," went to great lengths to emphasize the untruth of the reported rumor; it described the promoters of the rumor as peddlers and the story itself as a "conspiracy of invention"; the headline "Hate Story" was meant to capture some of the base motives behind the accusation; the conclusion described the flap as a "pseudo-scandal." Professor Nesson, quoted in the story, was one of two professors expressing outrage, followed by the comment, "Essentially, they're right." The point of running such a story was to illustrate the breakdown of race relations on many campuses that can lead to such events; and to probe the undercurrent of affirmative action that clearly contributed to the balkanized atmosphere. We believe that ethical journalism seeks to expose such atmospheres rather than cloak them in false propriety.

Haiti conclusions

To the editors:

In "Love and Haiti" (July 5), Amy Wilentz grotesquely distorts the role of the United States, and particularly the Agency for International Development, suggesting that AID is in the pocket of Haiti's "robber barons."

Virtually all Haitian secretaries come from the middle class, not "Haiti's best families." Whatever their class, they have little influence on policy. The AID offices are not "fancy." A U.S. Embassy nurse ("married to the scion of a wealthy elite clan") gives medical, not policy, prescriptions. If AID advised against raising the minimum wage to fifty cents an hour, such advice surely would have responded not to the greed of the "robber barons" but to the reality that Haiti would be hurting its chances of attracting the assembly industries that are the country's only potential source of the tens of thousands of jobs it desperately needs. AID private sector assistance is designed to generate jobs and help small enterprises, not the "robber barons."

I directed the AID mission to Haiti from 1977 to 1979. Aid to Françoise Duvalier had been cut off in 1963. The decision to reactivate aid in 1973, after Papa Doc's death, was based on Haiti's extreme poverty. That has been AID's focus ever since. I am certain that my successors, and their embassy colleagues, share my contempt for the rapacious elements—there *are* other elements—in the private sector, just as they share similar feelings about corruption and abuse throughout the society, particularly in the military and the police.

I might add that if, in fact, the embassy labeled Aristide "a radical firebrand," they had very good cause. Until

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the 1990 elections, his rhetoric was indistinguishable from that of Fidel Castro and Daniel Ortega.

LAWRENCE E. HARRISON
Vineyard Haven, Massachusetts

Sunny-side up

To the editors:

Your sunny defense of the Senate's recent stab at campaign finance reform ("Decent Proposal," July 12) was as weak and shaky as the bill's jerry-built rig itself. In a burst of naïveté uncharacteristic of TNR, you claim that the senators who supported the legislation voted "against their own narrow self-interests." In fact, they have created a system that will dramatically reinforce the advantages of incumbency. Not only does the bill mandate "voluntary" spending limits—a device guaranteed to inhibit serious, well-funded challengers from overtaking entrenched lawmakers—but the "selfless" senators also eliminated most of the public funding, the only major provision in the legislation that would have substantially helped to level the playing field between incumbents and challengers.

Moreover, this incumbent-protection act is chock-full of constitutionally questionable limitations on First Amendment freedoms: the prohibition on PAC contributions, the ban on bundling, the restrictions on lobbying, manipulations concerning independent expenditures and the seizure of more than a third of the campaign war chests of candidates who refuse to submit to a so-called "voluntary" spending limit. (The results of spending beyond the designated limits are so punitive that only in an Orwellian sense can the limits be termed "voluntary.")

It is a sad irony that publications that depend on the First Amendment for sustenance are leading the cheers for legislation that tramples on the same amendment. In the event this dangerous bill becomes law, let's hope the courts exercise better judgment than the Senate—and TNR's editors.

LARRY J. SABATO
Charlottesville, Virginia

Equal protection pause

To the editors:

In Jeffrey Rosen's review of Ronald Dworkin's *Life's Dominion* ("A Womb with a View," June 14), he properly questions several constitutional arguments supporting the right to an abortion. In the end, however, Rosen himself seems to see merit in maybe the worst argument of all—basing it in the equal protection clause.

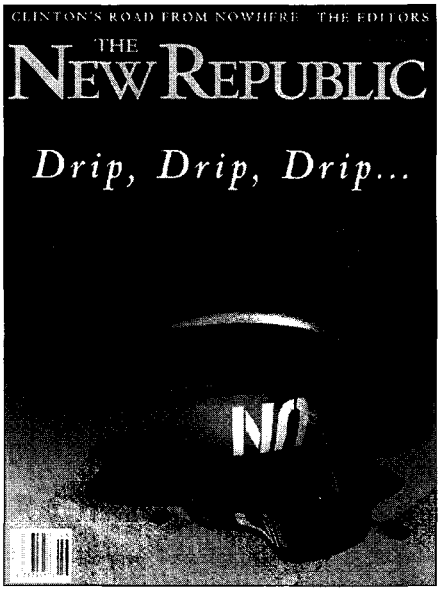
1) The equal protection clause is for similarly situated groups, which the sexes most assuredly are not regarding childbirth. Otherwise, one could strike down all laws against, say, rape, since they solely or at least disproportionately affect men.

2) There's already been a regime under which only men lose the right to control their bodies—it's called the draft, and no court as yet has found it unconstitutional.

3) Say science makes it possible for men to carry children to term, and many then do; any laws on abortion could easily be applied equally. The basis for what was thought a fundamental right then disappears overnight.

4) If abortion is, in fact, murder, that should be compelling enough to trump equal protection claims anyway.

For years the pro-choice side has been



frantically flitting about the Constitution, looking for a perch upon which to rest. Maybe it's time to admit that the abortion issue is what it's always been—a political battle.

PAUL NEVILLE
Los Angeles, California

Weeping in his cappuccino

To the editors:

I can't imagine anybody giving a raw artichoke that Mickey Kaus feels tired, but I gather we are supposed to take heed of this new phenomenon, baby-boomer burnout. We heard it first from TRB ("Getting Sleepy," July 5), in which Kaus whines that he's tired of going to work and miffed that his boss expects him "to work like a 25-year-old." Kaus quotes from Ivy League college alumni bulletins to prove that his fortysomething peers feel similarly exhausted and put upon.

Kaus says that by the time he and his peers hit 40 they expected "secure niches where they can slow down and coast for a while." Whoever promised him a hammock in the washroom? Is it too earnest to suggest that it would do Kaus good to stop weeping in his cappuccino and take a look around at the millions of unemployed?

I'm stunned that anyone would want his productive worklife to end at 40. Kaus must have one hell of a hobby.

SUSAN OHANIAN
Schenectady, New York

Quota liberals

To the editors:

Gay rights organizations are not the only ones that seem to be elevating "diversity" in their board membership above the purpose for which the organization exists (Correspondence, July 5). The board of directors of the American Civil Liberties Union of Northern California last year adopted a plan to ensure that within three years at least 40 percent of the board members will be "minorities," at least 50 percent will be women, at least 20 percent will be gays or lesbians and at least 10 percent will be people with disabilities. Since that comes to at least 120 percent, it will take considerable overlap to make room for straight, white, non-disabled males.

The board also voted that its six-member nominating committee should contain at least three women, two minorities and one gay or lesbian. According to a newspaper account, "Some board members questioned the absence of a numerical goal for disabled people on the nominating committee."

Apparently of secondary concern, if any, was having on the board people who would be the most knowledgeable, committed and effective in defending civil liberties.

STEPHEN R. BARNETT
Berkeley, California

References

To the editors:

Any chance we might have one issue in which no writer refers

1) to the Ivy League university he attended;

2) to the prestigious judicial clerkship he narrowly missed out on;

3) to the prestigious scholarship he won or is cloyingly in the know about.

I'm beginning to mistake you folks for the Clinton White House.

DAVID DECOSSE
Harvard '82
MEG HYRE
M.A., Oxon, Marshall Scholar

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TRB®

FROM WASHINGTON

Credit where due

Imagine you are at a junior high school in a big-city ghetto. You have five minutes to talk to a class of 13-year-olds. What on earth do you tell them? You might tell them that if they stay in school and work hard they can be doctors and lawyers. Unfortunately, that's a lie. Many in your audience know that even if their schools dramatically improve, they have no hope of becoming doctors and lawyers. Maybe, if we lived in a 1950s economy, you could tell them that if they took an unskilled industrial job and stuck with it, they could enjoy a comfortable middle-class life. But those days are gone. It takes a skill to get into the middle class now. And not everyone has skills.

All else failing, you would at least like to be able to tell them this: if they graduate, stay out of the drug business, stay off welfare and keep working, they may or may not be rich, or comfortably middle class—but they will have enough for a life of dignity.

The trouble is, this isn't quite true either. Yes, it's true for the vast majority of Americans. But not those at the bottom of the labor market, which is where many kids in ghetto schools will end up. Here is the arithmetic: Someone working forty hours a week, every week, at the minimum wage ($4.25 an hour) makes $8,840 a year. The poverty line for a family of three in 1993 is about $11,500 a year. That leaves a gap of more than $2,600. For a four-person family, making it out of poverty requires about $14,750, almost $6,000 above the minimum wage.

How to close this gap? For at least a decade, the answer of choice has been a program called the Earned Income Tax Credit. Unlike welfare, the EITC gives money—in the form of a payment from the IRS—only to low-income Americans who work. (Senator Russell Long, who got the EITC started in 1975, called it a "work bonus.") Unlike a minimum wage increase, the EITC isn't inflationary. It doesn't discourage employers from creating jobs. Liberal or conservative, neo or paleo, virtually everybody, it seems, likes the EITC. Jack Kemp endorses it. The Children's Defense Fund endorses it. So does the Heritage Foundation.

Congress has repeatedly expanded the EITC—it now pays 14 million families about $12 billion a year. But the credit has never been generous enough to close the gap between the minimum wage and the poverty line. For 1993 it offered a $4.25/hour worker with two kids about $1.95 for each $10 earned, up to a maximum of $1,511. That still left a four-person family more than $4,000 below the poverty line. One couldn't help wonder whether, in the perverse world of Washington, the EITC wasn't a bit *too* popular for its own good. Congressmen might not want to make it large enough to actually close the poverty gap, because that would leave them with no more neat little increases to pass the next time they wanted to show they were busy fighting poverty.

President Clinton has cut through this incrementalism. He wants to go all the way. In his State of the Union address, he announced a "simple commitment ... the principle that if you work forty hours a week ... you will no longer be in poverty." To this end, his budget (as passed by the House) would raise the maximum EITC benefit to $3,370 for two-children families. That (along with the food stamps for which they're eligible) would bring those families up to about the poverty line. Clinton would also, for the first time, establish a small "work bonus" for low-income workers without children.

This is a big reform. At $28 billion over five years, Clinton's EITC boost is easily the most expensive bit of new spending in his budget. If it passes, it will constitute at least one major promise that he has conscientiously kept. What's more, it's an idealistic promise, benefiting a diffuse, unorganized group (low-wage workers) with little PAC money.

But will it pass? The Senate couldn't swallow it all. The budget bill that passed the Senate cuts the EITC boost to $18 billion. It shaves Clinton's proposed increase in the existing credit and drops the childless-worker bonus. (Senate Republicans, in their make-believe attempt to cut the deficit without new taxes, would kill the entire increase.)

Clinton can't assume the House and Senate will reach a reasonable compromise. The Democrats are prisoners here of their own distributional rhetoric. Clinton's original EITC hike was defended as a way to "offset" the regressive impact of increased energy taxes on those making $30,000 or less. But if the proposed energy taxes disappear, no offset is required, right? So energy-tax opponents, quite logically, can propose killing both the tax and the EITC hike.

But the most compelling function of the EITC isn't to offset a gas or BTU tax. It isn't even to generally redistribute income. It is, in Clintonian doctrine, to "make work pay." More specifically, it is to transform the culture of the ghetto by making even low-wage labor appealing when compared with welfare, by answering the 13-year-olds who think the jobs they can get will only pay "chump change."

There *are* arguments against the EITC. But if it is seen as an anti-underclass program, these objections fall away. The most common objection is that the EITC may actually discourage work. That's largely because the credit must be slowly "phased out" for workers earning between $11,000 and $28,000. In effect, for every dollar people in this range earn, they will lose 16 to 20 cents—an extra "tax" of 16 to 20 percent. EITC-bashers point out that there are a lot more Americans in the $11,000-$28,000 range than, say, in the $0-$8,000 range. But if we are focused on the underclass, it's the people between $0 and $8,000 we care about. We want to get them out of the welfare culture and into the working culture. Squeezing maximum effort from people making $25,000 is less important.

And if the point is to change the culture of the ghetto, Clinton's childless-worker credit suddenly seems significant. Currently, the EITC sends checks only to people who have children—including single mothers. But why condition aid on having a kid? Why not create more "marriageable" men by offering enhanced incomes to workers who haven't yet fathered children? Nor, by this logic, does it make sense for Congress to save money by limiting the credit to workers older than 25, as has been suggested. By age 25 the die is cast.

Of course, even Clinton's full EITC won't transform the ghetto. To have an impact, it will almost certainly have to be accompanied by increases in the minimum wage. (One reason: the EITC tends to come in a lump sum on April 15. But workers can feel a higher minimum wage in every week's paycheck.) More important, making a life of work more attractive alters only half of the equation. You also need to make a life on welfare *less* attractive. That means, for Clinton, placing time limits on welfare. It means creating expensive public-service jobs that recipients can be required to take when the time limits expire. And it means penalizing those who refuse to work. All these things are a lot less pleasant than handing out refundable tax credits. Clinton's EITC plan deserves the frenzy of editorial-page support it will surely get. But it's the easy part.

MICKEY KAUS

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THE NEW REPUBLIC

AUGUST 2, 1993

TRADE GRADE

After President Clinton announced the Tokyo tariff accord—which, he said, "breaks the logjam" over a GATT agreement—the Frankfurt stock market took off. By day's end, the Deutsche Aktien Index (German for "Dow") had risen by 4 percent. Plainly, the Germans don't know Bill Clinton. Like some other Clinton packages, this one turned out to be impressive largely for its packaging. It not only leaves out the toughest GATT issues; it is itself contingent on their resolution. (Maybe the president meant to precede "breaks the logjam" with "is worthless unless someone somehow.")

Notwithstanding its meager content, the G-7 accord may prove momentous. Other G-7 leaders shared in Clinton's rhetorical extravagance. So if there is no GATT pact by January and the much-extolled Tokyo accord evaporates, they will look silly. If it was Clinton's crafty intention to place the leaders of the industrialized world in this highly motivated position, we salute him. In any event, he has raised the odds in favor of a GATT agreement.

The new U.S.-Japan trade "framework" also has a low steak-to-sizzle ratio. It falls short of Clinton's billing, and way short of his hopes. Thank God. The administration's goal was full-fledged managed trade, a trans-Pacific affirmative action program under which Japan would vow to meet fixed trade quotas, regardless of such factors as, say, the price and quality of American goods. Leaving aside the fact that this mega-subversion of the market system is aesthetically repugnant, grossly inefficient and a dangerous precedent with large boomerang potential, it is *embarrassing*.

Yes, yes: Japan is protectionist, more so than we. And yes, we suffer from their protectionism (arguably less than they). But their protectionism boils down to radically favoring savings over consumption. Given America's epic inability to rein in its own consumption in favor of savings, admiration for Japan might be more apt than censure. At the very least, a touch of moral relativism is in order. Here we stand, robbing our children to feed ourselves, chastising the Japanese for doing the opposite.

Clinton hasn't opted for moral relativism. Seizing on the modest (though truly important) measure of self-discipline in his budget, he demands that Japan "reciprocate" by cutting its trade surplus. There is a kind of rhetorical justice here, since Japan has often complained about the American budget deficit when pressed on its trade surplus. And surely the two are related. Still, in moral terms, "reciprocation" is absurd: we're closing our deficit (if we are) out of simple self-interest, with zero regard for the welfare of the rest of the world. No one owes us any favors.

Meanwhile, a *New York Times* poll finds that half of America has never heard of the North American Free Trade Agreement. This is wonderful news. Ross Perot and other paleo-nationalists have been straining to mobilize NAFTA's allegedly numerous victims. In one sense they have more than succeeded; one-quarter of Americans—half of those who know of the pact—oppose it, and that's a lot more people than it will hurt. Still, that's not enough to sink the pact, and all of Perot's easy converts have now been had.

The basic short-term dynamic of free trade is this: it helps most consumers a little; it helps a few workers a lot (in sectors whose exports grow); and it hurts a few workers a lot (in sectors hurt by new imports). The political challenge, always, is getting the attention of all the people who will be helped a little. The *Times* poll suggests that there are many whose attention hasn't been gotten. Clinton's work is cut out for him.

He has complicated his task. Earlier this year, he and trade representative Mickey Kantor chose to do some of their trade posturing publicly. This presumably was for home consumption—to mollify, for example, Dick Gephardt. But economic nationalism is easy to arouse and hard to contain. Now it's time to start undoing the damage.

President Clinton has given himself three big tests: passing his budget in semirecognizable form, forging and then ratifying a GATT agreement, and ratifying NAFTA. If he goes three for three, his first-year scorecard for economic policy will rival that of any president since World War II. If he fails, he could help usher in one of the grimmest periods of that era. •

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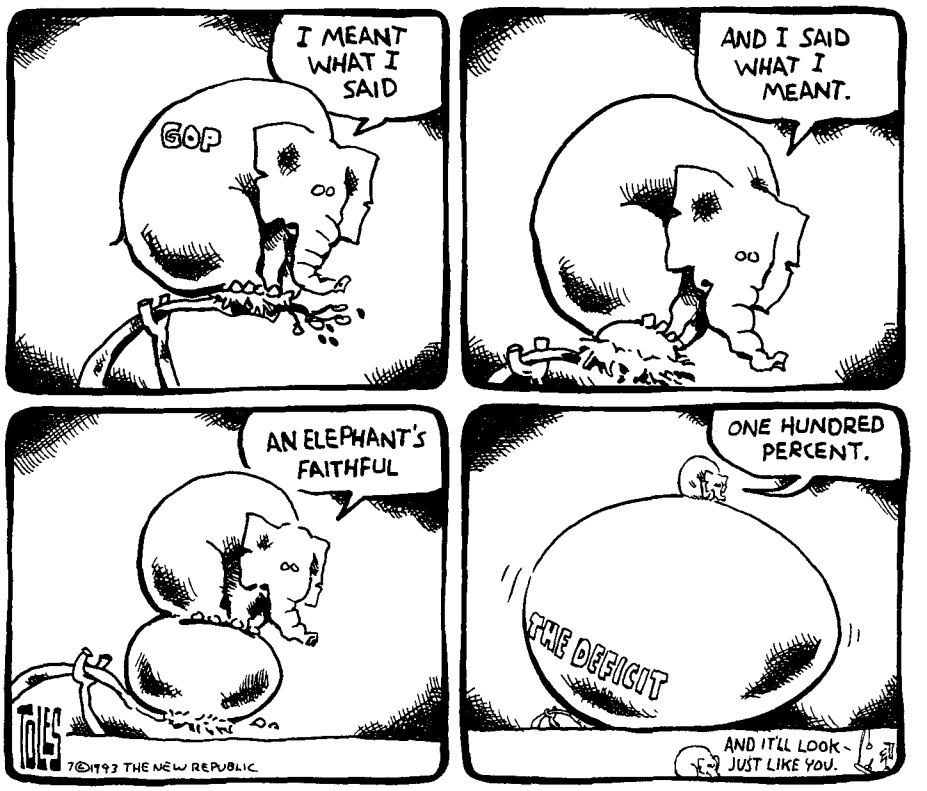
NOTEBOOK

CLINTON SUCK-UP WATCH: "[Bill Clinton] is one of the most charming men that God has ever created." —TNR senior editor Fred Barnes speaking on NPR's "Weekend Edition," June 20

(thanks to Stefan Sharkansky, San Francisco, California)

SADDAM'S BARGAIN: No sooner had President Clinton been done with the destruction of the headquarters of the Iraqi Mukhabarat (the securitate) than he set out to "confuse" the Iraqi dictator by appearing to make amends for that raid. On July 1 the Clinton administration gave what looked like a green light for $1.6 billion in Iraqi oil sales. The initiative to grant Iraq this concession had come from the good folks at the United Nations Secretariat, despite the current stand-off between U.N. inspectors and Saddam over inspection of missile sites. But the American position was, and remains, pivotal. Why the mollification? The Security Council Resolutions—706 and 712—permitting Iraqi oil sales expired in March 1992. These resolutions had been passed back in the summer of 1991, amid great concern over misery and starvation in Iraq. They had stipulated that the money earned by Iraq from a one-shot sale be set aside for humanitarian relief in the country. The Iraqi despot would have none of that: he snubbed these resolutions on grounds that their terms were an infringement of Iraqi sovereignty. There the matter had lingered, until this recent change of heart in Washington. The flaws in this appeasement of Saddam Hussein are easy to see. There is no crisis in Iraq that would have Washington avert its gaze as the regime of Saddam reaped a windfall. There is no starvation in the country or widespread hunger. Iraqi agriculture has rebounded. Anyone who knows the Iraqi regime knows the new money will not be used to bolster humanitarian relief in the country but will instead go toward Saddam's favored projects: arms purchases, support for terrorism, domestic repression, a campaign of attrition against the Kurds and the Shiites, new weapons technology, the very things the U.N. is now trying to deter. The economics of this oil sale, too, are bizarre: other oil producers—Saddam's rivals in Saudi Arabia and Kuwait, Russia, our own oil states of California, Oklahoma, Louisiana, Alaska, Texas—would be made to pay for Saddam's relief. As they stand, the U.N. resolutions provide for a fixed dollar amount ($1.6 billion) and not a particular volume of oil. An incentive is given Iraq to resort to dumping in order to undermine its regional rivals and to disrupt the oil markets. These markets were quick to respond: the price of oil declined fifty cents a barrel on July 1, the same day Madeleine Albright, our ambassador to the U.N., signaled Washington's favorable disposition toward the resumption of Iraqi oil sales. We can see the view from Baghdad. From the bunker the Iraqi despot we had sought to punish for a conspiracy to assassinate George Bush can be forgiven his view that Bill Clinton has blinked, that his administration has no staying power and that it has decided to compensate Saddam for the attack against his intelligence headquarters. Some lesson we will have delivered the Iraqi dictator, some way of getting his attention and respect.



CONFERENCE CALL:

AP/Wide World Photos/Doug Mills

President Clinton, Representative Rostenkowski and Senator Moynihan hammer out a budget compromise. •

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THE FLAPJACK FILE

McSUSHI

By Douglas G. McGrath

Wednesday, June 23, 1993

I had a terrible dream last night, the scariest one since I dreamed I was in the shower with Miss Lillian. It was about Flap. Any Secret Serviceman who has done protection detail for the president knows how real these dreams can be. I told the guys about it. Agent Simons said, "Did you dream he was assassinated? That we lost him?" Agent Searle said, "That he sat on you?" "No," I said. "I dreamed he nominated me for a job in the administration." Searle laid a shaking hand on mine and said hoarsely, "I've had that one too."

Aside from this, Mr. Gergen is shaping the place up. He and Flap met the generals about plans to bomb Iraq over its attempted assassination of the Shrub. Flap had a pinched look and finally said, "First, I want to thank you generals for your kindness in putting this bombing proposal together. At the end, I think we should share a war-planners hug. But let me ask a question on behalf of all Americans, whose quiet courage inspires me to get up every day and do the hard work of change. Say Iraq retaliates, and the whole thing escalates into all-out war; what do you think the odds are that I could get drafted?"

Several of the Joint Chiefs spat in disgust, but Flap didn't see because a call came in on his new phone. It was Barbra Streisand calling from Wimbledon. Andre Agassi was losing, and she wanted to know if there was anything Flap could do. "Couldn't you rush a satellite over here so it flashes in Sampras's eye every time he serves?" she asked. Flap adjourned the meeting to work on this. He told the generals to speak with Janet Reno if they had any questions about bombing Iraq's intelligence compound. She's the expert around here on compound-leveling.

Through the door to her office, I could see Flap's wife, the Rod, getting ready for the upcoming trip to Japan. She was practicing being demure as she lifted weights.

Tuesday, July 6

Flap stopped in the Midwest to view the flooding. Mr. Gergen advised him to be sympathetic but upbeat. "I feel your pain," he told a group on a levee, "not to mention your rain, but remember this: this has dramatically reduced the chances of forest fires in your area for weeks to come!" En route to the summit, Flap reached into his pocket and took out a hot dog. "Hey! Look at this! Left over from July 4th!" He dusted it off and ate it as he watched the Rod work with her Subservience Trainer. They were channeling Mamie Eisenhower.

Thursday, July 8, Tokyo

There was the usual mob of women at the airport (and everywhere), of course, waiting for him. There were so many jamming the lobby trying to touch him that finally Mr. Steph had to be taken to his room by helicopter. He's having a great trip. He's been buying lots of new suits and today, as he was autographing pictures of himself for his Hiroshima fan club (branch 34), he told me that this is the first country he's ever been where he can buy in adult sizes.

At the morning session, the leaders reached an accord on what to do about the continuing slaughter in Bosnia. Last year the G-7 threatened military action against the Serbs. This year they vowed: "If the killing does not stop, the world will unite with all its force to deny the Serbs an invitation to the annual U.N. family picnic in Central Park with entertainment by the cast of *Camelot*."

In the afternoon Flap spoke to the press about a major trade agreement: "We have agreed to a timetable—there has never been a timetable before this—to agree on talks in which the issue of setting up talks on trade can be discussed. Out of these talks, we hope that talks can be scheduled. President Bush never got you that!"

That night at dinner, Searle and I were on special assignment. Under the guise of checking Flap's food for security, we unwrapped the seaweed, took out all the raw fish and put Pork McNuggets inside. Mrs. Kelley was the hit of the party. The Japanese were awed by her hair, which is brown except for that weird circle of silver in the middle. "You like my hair?" she asked the emperor's son. "How many hairs you think I got in my scalp: let's take bets and then I'll count 'em!"

Before bed, Gergen presented Flap with a compromise on gays in the military. Gays may privately discuss with other servicemen if they are gay, but only in French.

Monday, July 12, Hawaii

The press dubbed the trip a success. Searle said, "It's the work of a master," and I nodded: "Mr. G." The Flap is so thrilled, his secret hillbilly voice came out. "I did it! I did me some foreign policy! Yeeee-haw!" He stripped off his clothes and jumped in the ocean. The wave took out fifteen sand castles on the opposite beach. The press raced to get a shot. Mr. Gergy raced to tackle the press. As he wrestled one woman to the ground, Searle said to me, "Remember that nightmare you had? I had one too, only mine was that Gergy did such a good job that Flap was actually re-elected." He watched Mr. Gergen throw sand at a photographer, and smiled. "But I can see now that that was all just a horrible dream."

DOUGLAS G. MCGRATH is a New York writer.

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KALONA POSTCARD

CRAZY EDDIES

By Mary Swander

On the day of the latest flood crest in Iowa, I went out to pick some lettuce from my soggy garden and found a 500-pound black Angus bull loose in my yard, grazing on grass and clover, its tail swishing, its eyes gazing off down the hill toward the rising waters of Picayune Creek. Normally the Picayune lives up to its name, a mere crack in the earth, a rivulet that drains this gentle, rolling valley with its corn, bean, oat and alfalfa fields, its fenced pastures of Holsteins and its large wooden frame houses that often hold three generations under one roof. Normally the Picayune is just wide enough to dampen one shoe when you step across it to set up on its bank with a fishing pole on a hot summer morning in hopes of catching a few small blue gills.

But this year it has been raining. Raining and raining. All spring and summer. And not the usual slow, steady, welcome rains of May and June that nurture the seedlings as they make their way up through the rich, black dirt, but the wild, hard-driving, tornado-ridden, drenching rains that the Midwest also holds in its repertoire. So the Picayune, as well as all the other creeks, rivers and streams in the area that eventually wind their way into the Mississippi, is swollen. Its waters have overflowed and backed up into my neighbor Bob's fields, drowning out the young corn, flooding the barn, lapping water dangerously close to the foundation of his house and creating a bog out of the pasture where he kept two prized bulls. When I recognized one of them standing squarely in front of me that day, I slid back into the house and phoned my neighbor.

In a few minutes, Bob appeared in his pickup. His teenage son, who had already been sent off on a search, arrived soon after. Hands in the air and feet spaced a healthy distance from the bull, father and son tried to shoo the animal back down the hill toward home. But with a stubborn sense of its own direction, the bull led the two on a chase through a corn field toward the creek, its hooves sinking deeper and deeper into the mud. From my house perched high and dry on top of the hill, I watched for nearly an hour as Bob and his son trailed the bull, matadors of the plains, never getting too close, yet close enough to finally herd the animal out of the mire and corral it safely behind its own barbed-wire fence.

While there was excitement and a kind of beauty in the moment, I couldn't help but feel for Bob. A lost afternoon taking him away from pressing field work, beans that needed to be cultivated, hay that needed to be put up. And he'd already had so many losses this year. Once there were two bulls in his pasture, but a week before, during a severe thunderstorm, one had been hit by lightning and killed. The other, lonely and agitated, snorted and cried for several days, then finally, with a surge of strength triggered by yet another storm, broke through the fence, eventually winding up at my house. Earlier this spring, Bob had been counting on an even larger herd of cattle, but his cows gave birth in the muck by the creek and ten calves died. Earlier this summer, Bob thought if his cattle didn't do so well, his hogs would, but on the day of the bull round-up, I saw his sows swimming in and out of their farrowing house.

"The stock is stressed, all right," my neighbors agree when they meet at church, or at the sale barn or on a quick run into town. But my neighbors talk little of their own stress. Instead, they quietly pull together and slog through these days of disaster. For here, weather swings are commonplace. In winter, we might go from twenty below to forty above in a matter of two or three days. In summer, we know that a hot, muggy evening over a hundred degrees can well find us pulling on a blanket by morning. We're used to change, and have learned to roll with it.

"Oh yes," my hair stylist at the Hawkeye Barber Shop said. "I had a customer stroll in yesterday for a haircut. Then he was planning on going home to evacuate his house where sewage was filling his basement. He just wanted to get his haircut first."

When that customer went home, he probably had help. For every driver who swears at the police officer directing traffic around closed streets, there are hundreds of others who have housed relatives and friends or taken up stations on the river bank, sandbagging for up to forty-eight hours straight. "After I'd been up all night checking the sump pump, watching the water fill my yard and rise up to my second front step, my two sisters just pulled into my drive in their vans and loaded up my children and belongings and drove them away," a friend who lives by the Iowa River said. "We didn't have much time, but my sisters had been in floods before, so they knew what to do. Packed up the beds and clothes, took the computer and the stereo—anything that would collect moisture. Now I'm staying with a friend in Iowa City, my daughter's in Cedar Rapids and my son's in Bettendorf."

When the English River overflowed and pooled around hundreds of crates of chickens at a farm south of Kalona, volunteers showed up to move the birds higher up in the barn. But then the electricity went out, the ventilating fans failed and the chickens, which generate a lot of heat in confinement, began to suffocate on an already hot and humid day. Eventually, men climbed up on top of the barn and took off part of the roof. From there they could survey other flood-damaged losses—tables and chairs, even a whole freezer of meat floating down the river.

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On drier land, there's a humor, sometimes almost an élan that accompanies our sense of acceptance in these situations. During the 1965 flood I lived in Davenport and worked in a theater on the levee. We lost costumes and sets to the unrelenting Mississippi but were delighted when an upright piano floated in the window and lodged in our rehearsal studio. After the clean-up, we tuned the instrument and used it in show after show. This year, at the Sinclair gas station in town, the dinosaur posted out front to draw in customers has a life preserver around his neck.

The skies are still cloudy and rain is predicted. Flash flood, thunderstorm and tornado warnings abound. Currents are swift and canoes have tipped over, forcing their tossed out occupants to cling to tree branches. City water supplies are ruined. Those people who are wading through waist-high water to get to work have been urged to get tetanus shots. The rest of us are just waiting, hoping that sometime soon the waters will recede and we can repair the holes in our fences as we maneuver our way back through the muddy fields toward home.

MARY SWANDER, a poet, is the author of *Driving the Body Back* (Knopf).

ON THE HILL

LIMITATIONS

By Michael Lewis

A piece of legislation under review this week in Congress offers a glimpse of the way policy is made when there is a lot of money at stake and, because the subject is dull, the actors sense they are not being watched too closely. At issue is this: For how long after the failure of a savings and loan may those associated with its demise be sued by the government?

First the history. The 1989 law that gave birth to the Resolution Trust Corporation, the S&L bailout agency, also created a three-year statute of limitations on financial fraud and negligence. That year alone, however, nearly as many thrifts failed (318) as in the previous five years put together. By one estimate, at one time in 1991 there were 32,000 potential defendants under review by the RTC. The increased workload was not met with a similar increase in staffing. As the statute of limitations for the 1989 failures approached its deadline, the RTC fired or reassigned two-thirds of its ninety lawyers, leaving a handful of its least experienced attorneys to face an impossible number of cases. One former lawyer said he had been taught in RTC training sessions to handle an average of six cases at once. After the reorganization, he found himself handling sixty. Thus the need for more time to prosecute. "The agency so crippled itself with the reorganization," says Bruce Pederson, an attorney in the RTC's Denver office, "that it needs every day it can get."

The weirdly timed purge of RTC staff fit with the most sinister conspiracy theory you'd care to dream up: one happy coincidence of the ensuing chaos was that a number of cases simply disappeared off the screen. If the president himself had set out to shelter his rich S&L friends at the expense of taxpayers he couldn't have disorganized things much more effectively. Of course, there is no evidence of wrongdoing. And the RTC's press office denies that the agency has been anything but efficient.

But the lawyers who prosecute RTC cases say that the rush to beat the deadlines led not only to good suits being dropped but to bad ones being filed. "If what happened in the RTC down in Texas had happened in one of the thrifts," says an RTC attorney who was present at the scene, "we would have sued the thrift."

Now for the politics. In early 1991 Tim Wirth's Senate office began receiving furtive phone calls and anonymous letters from RTC attorneys who claimed some large sum of money, perhaps $3 billion, would not be recovered from negligent financiers because the lawyers didn't have time to do their jobs properly. Wirth was sufficiently persuaded that he tried, on four different occasions, to extend the statute of limitations on savings and loan wrongdoing from three years to five.

Lobbyists representing law and accounting firms (which stood to be sued) and insurance companies (which stood to pay out on liability policies for savings and loan officers) knew that their only hope was to keep the measure off the Senate and House floors. A former staff member to Wirth recalls "subtle, somewhat insidious, very strategically placed pressure." Wirth himself was tailed around the Capitol by "a rather stately gentleman in his 60s, well-attired, with gray hair" whose job it was to leap into action and alert lobbyists if Wirth went to the Senate chamber and attached his amendment to some unrelated piece of legislation. Each time Wirth's amendment reached the Senate floor it passed, by as many as seventy-eight votes. This stunning success, however, says less about the proposal's merits than about the fear in the Senate of being seen as standing up for financial people at the expense of taxpayers.

There was principled opposition to the amendment, especially as, after 1992, it sought to extend the statute of limitations retroactively. Whether a politician held opposing principles, however, depended mainly on where he was from. The Texas delegation, especially, fought the more aggressive attempts to recover money. The one time Wirth's amendment made it to conference it was killed by Phil Gramm. A Wirth staffer watched Gramm emerge from a Capitol room afterward, stroll by the row of lobbyists and say, "Don't ask me anything now boys, but you see the smile on my face." His homeboys in the House were even more suc-

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cessful; they prevented the measure from ever reaching the floor.

The most dramatic instance of Texas intervention came last month when a bill that would have extended the statute of limitations from three years to five was endorsed by the House Banking Committee. Texas Representative Jack Brooks demanded that it be referred to the Judiciary Committee, which he chairs. "He wanted to completely gut the whole thing," says one House staffer, "without being seen to do so." Both Gramm and Brooks have enjoyed financial aid from thrifts. But to fully understand their zeal you need to thumb through a recently issued study by the Northeast-Midwest Coalition. Texas, which bears a little more than 6 percent of the national tax burden, has received roughly 41 percent of the taxpayer-financed S&L bailout funds—a net subsidy from the Treasury of $45 billion.

Of course, the Treasury is now run by another Texas politician, and his role in the debate has been by far the most extraordinary. The RTC is currently overseen by Lloyd Bentsen's deputy, Roger Altman, newly arrived from Wall Street. In a letter to key members of Congress dated May 4, Altman wrote that "the RTC has no need at this time either to revisit 'closed' claims arising in institutions in which the limitations period has expired or to extend the limitations period prospectively as the RTC will continue to meet all upcoming deadlines." On June 10 the RTC sent people to the meeting of the House Judiciary Committee, to help Brooks and the Republican minority defeat the measure.

In a stroke, Bentsen has reversed the position of his Republican predecessor and of the Clinton campaign. He has also changed the stance he held in the Senate, where he twice voted for Wirth's amendment. Odder still is the sight of an agency head campaigning to stop himself from being given discretionary power. The extension of the statute of limitations does not require the RTC to take any action whatsoever. What Altman is saying, in effect, is that he prefers not to have the option of looking further into some cases. Hmmm. •

Clinton's timber loser.

DEAD WOOD

By Stephen M. Meyer

At the "timber summit" in April, President Clinton promised that within sixty days his administration would present a plan to end the stalemate between environmentalists and the timber industry over logging in the old growth forests of the Pacific Northwest. Many were skeptical. The issue had dragged on for years. Two administrations, Congress, the courts and an ever-expanding list of interest groups had failed to find a solution. With each attempt, those wishing to preserve the region's timber economy and those fighting to protect its old growth forests grew more recalcitrant.

On July 1—a month beyond his self-imposed deadline—the president unveiled a plan. True to Clinton's political form, it offers a grand compromise. While the proposal allows for some logging—about 1.2 billion board feet annually for the next decade—the harvest levels are only a quarter of what the timber industry wanted. There is some old growth forest and watershed protection, but not as much as the environmental community had expected. And though there is $1.2 billion for economic assistance, it is too much for anti-spending politicians and too little for local officials. So nobody is happy. The lobbying and the lawsuits will almost certainly continue. In this instance the skeptics were right. Unless the administration was prepared either to end all logging of old growth forests or to override the Endangered Species Act, no plan could have made much of a difference.

The economic decline of the northwest's timber communities began long before the spotted owl became a celebrity. Between 1980 and 1989 (when the owl was first listed as threatened) the region lost more than 14,000 timber jobs (a decrease of 14 percent)—even though domestic demand for timber products and the price of lumber were rising steadily. Nationwide, in contrast, some 59,000 new timber jobs were created, a 10 percent increase. Similarly, regional paper and pulp industries saw more than 10,000 jobs disappear (a 35 percent decline), though nationwide the industry was strong and employment steady.

Why was this happening? Some jobs disappeared in the northwest as timber companies moved to the southeast, where trees were more accessible and grew to maturity twice as fast as northwest timber. (The difference was reflected in wood prices: throughout the 1980s the cost of Pacific Northwest softwoods was double that of southeastern timber.) Indeed, the northwest's largest timber firms slashed their investment in the region by one-third while simultaneously increasing it by more 120 percent in the southeast.

Jobs were also lost to automation as northwest companies replaced people with machines to increase productivity and compete with the southeastern timber trade. During the 1980s timber harvests in the northwest jumped almost 50 percent and production of finished lumber increased nearly 20 percent, yet actual employment and real wages dropped 14 percent and 15 percent respectively.

Finally, jobs were lost to the foolish practice of shipping whole logs to Asia, which by the late 1980s consumed roughly a quarter of the region's annual timber harvest. These exports contributed to the closing of more than 150 regional lumber mills and the loss of several thousand jobs—not to mention the destruction of forests.

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Where We Stand

By Albert Shanker, President
American Federation of Teachers

World-Class Standards

American students are performing at much lower levels than students in other industrialized nations. This has led to our current effort to create world-class standards that will be as good and as tough as those of other countries. However, most of our efforts involve locking a bunch of people in a room and asking them to develop standards. Rarely, if ever, do we consider what the rest of the world is doing.

A good way to do this is to look at the textbooks used by students in other countries. They give a clear picture of the level of work expected of youngsters in France or Germany or Russia or Japan, and they tell us what American students could do if they were similarly challenged.

Izaak Wirszup, a professor emeritus of mathematics at the University of Chicago, has been a pioneer in this work for years. He has written about the math programs in other countries—especially Russia—developed curriculum materials and trained teachers in the U.S. And in 1983 he founded the University of Chicago School Mathematics Project, which is translating Japanese and Russian math textbooks.

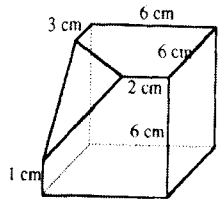
So far, the Japanese math textbooks for grades seven, eight and nine and the Russian math textbooks for grades one through three have been published in English. Since these are nationally mandated textbooks, they are used by every student in Japan or Russia except for those who are mentally retarded.

Teachers and parents in the U.S. will be able to say to kids, "Yes, this work is tough, but it's what kids in your grade are doing all over the country."

Foreigners who put their kids in American schools say that their children are taught in U.S. seventh and eighth grades what they have already learned overseas in second or third grade. A few minutes of skimming these books will convince American readers that these people are telling the truth.

Here are a couple of problems from the Japanese seventh-grade math text, one dealing with figures in space and the other with functions and proportions. They would probably stump the majority of American 17-year-olds.

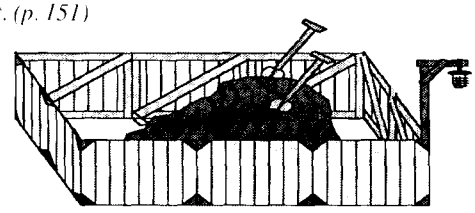
3. The diagram at the right shows a geometric solid formed by cutting a corner of a cube with a plane. Find the volume of this solid. (p. 163)



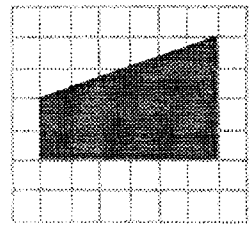
Problem 4. A certain quantity of fuel will last 30 hours if we use it at a rate of 0.2 liters per hour. If we let x liters represent the amount consumed every hour and y hours the time, express y in terms of x. Further, when the value of x ranges from 0.5 ≤ x ≤ 2, find the range of values of y. (p.107)

And here are two representative problems from the Russian second-grade text. Eight-year-olds throughout the former USSR, with all its diversity, used this text for 20 years.

574. A rectangular lot is enclosed by a fence of wooden panels. How many panels are needed if the lot is 6 m long and 4 m wide and the length of a panel is 2 m? Write an expression based on the problem and solve it. (p. 151)



946. Draw on a sheet of graph paper two quadrilaterals like the one at the right and cut them out. Use them to construct a square and a pentagon. What other figures can you create? (p. 236)



The people supporting vouchers say that our school failure is due to government bureaucracy and public school monopoly. Only market competition will bring success. But the Japanese and Russian and all other foreign systems are government-run and monopolies. Unlike our locally run schools, they are tightly controlled, centralized systems. These foreign examples show that government schools can and do work. On the other hand, there is no national system of vouchers and market schools anywhere. Maybe the answer to our problems is more centralization not less.

Adopting *real* world-class standards will allow teachers and parents in the U.S. to put pressure on kids the way they can in Japan and Russia. Teachers and parents will be able to say, "Yes, this work is tough, but it's what kids in your grade are doing all over the country and what they did last year. We know you can do it, too." And our kids will, just like kids in other systems do.

The Japanese and Russian math texts are available from UCSMP for $19 a copy. To order, call 312-702-9770.

Mr. Shanker's comments appear in this ad under the auspices of the American Federation of Teachers. Reader correspondence is invited. Address your letters to Mr. Shanker at the AFT, 555 New Jersey Avenue, N.W. Washington, D.C. 20001. © 1993 by Albert Shanker.

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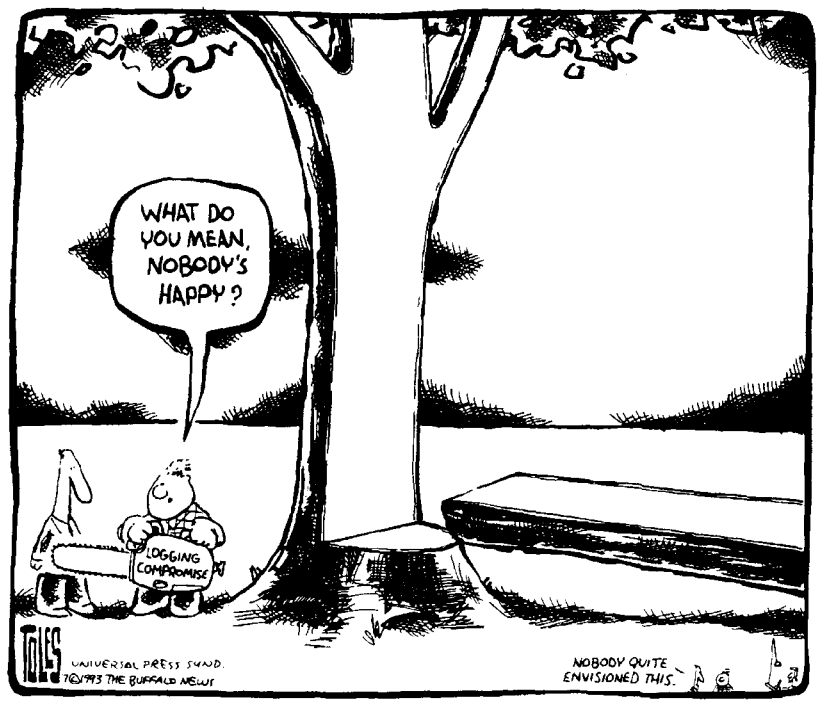
The strange thing is that not a peep was heard about *these* lost jobs. Worse, timber communities could have weathered these trends—albeit with reduced payrolls—had they avoided ruinous management practices. The region was logging itself out of house and home. Throughout the northwest, and in Oregon in particular, timber cutting on private and public lands greatly exceeded forest regeneration rates—often by more than 50 percent. Clear cutting further exacerbated the destruction of the forest floor and watersheds, creating problems that went far beyond the mere removal of trees.

A number of factors conspired to make this possible. First, short-sighted, quick-profit economics was to blame. For example, after its leveraged buyout of California's Pacific Lumber Company in 1985, the Maxxam Corporation was saddled with paying interest on $750 million in junk bonds. The quickest way out? Clear-cut centuries-old redwoods as rapidly as possible. Never mind that the logging was unsustainable.



Second, the willingness of Asian buyers to pay top dollar for raw log exports and federal tax credits that actually encouraged this practice were too good to resist. When the government in 1973 blocked the export of whole logs from national forests, private forest owners took their place and then pressured the government to increase logging on public lands to satisfy domestic demand.

Third, local governments receive 25 percent to 50 percent of timber of revenues from national forest timber sales: it is in their interest to lobby for ever higher timber harvests. And fourth, Reagan-Bush policies that tried to blend supply-side economics with the private exploitation of public resources encouraged forestry officials to put in place self-destructive cutting plans. Those who resisted were either transferred or retired.

Could Clinton have devised a better, fairer plan? I doubt it. To be sure, a procedural adjustment could be made here and a number changed there. But from a larger perspective it is simply too late. Too much forest has been cut. Timber jobs will continue to seep out of the Pacific Northwest.

Environmentalists may be disappointed that a total ban on logging was not put in place. But to summarily abandon the people in these communities by fencing off all the remaining forests would be unconscionable. Inevitably it would spawn a backlash that might undo not just the Endangered Species Act but many progressive federal and local environmental policies. The environmental community should be more supportive. Had George Bush come up with the plan Clinton proposed, it would have been ecstatic.

Conversely, timber lobbyists' whining for more "balance" in the Clinton plan can be dismissed. They showed no interest in balance when they were free to chop away. Nor were they interested in balance when it became clear that overcutting and clear-cutting were damaging watersheds and threatening the region's fisheries. Now, faced with the possibility of not getting the remaining 10 percent of ancient forests, they want balance.

Likewise, the National Home Builders Association's claim that the spotted owl is responsible for soaring lumber prices and the escalating cost of new homes is shameful. The price of softwoods today is almost exactly what it was in 1980, after correcting for inflation. Lumber prices dropped precipitously during 1981 and 1982 and have been climbing steadily ever since. Based on average real price increases between 1982 and 1989, today's timber prices are just what you would expect. Real timber prices may have doubled between 1987 and 1993, but the blame cannot be assigned to the effort to save the old growth forests. The price jump is due mostly to bad weather that harmed the timber harvest in the South, a new tariff on Canadian lumber that reduced U.S. imports and a surge in post-recession construction.

The pleading of special interests aside, preserving jobs for the short term is just not a good enough reason to continue bad public policies. We have not legalized drugs in order to create substantial urban and suburban employment at high wages. We do not keep the military at cold war strength or perpetuate a one-sided arms race just to provide jobs for people in uniform and defense workers. Indeed, the recently announced military base closings will displace many more workers and disrupt ten times as many communities as the Clinton timber plan.

For too long industry's notion of balance has meant always sacrificing environmental protection for short-

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term economic gain. Nowhere are the painful results of this tragic calculus clearer than in the forests and logging communities of the Pacific Northwest.

STEPHEN M. MEYER, professor of political science at MIT, is director of MIT's Project on Environmental Politics and Policy.

Macedonia: the real battleground.

GROUND ZERO

By Robert D. Kaplan

Just as the Second Balkan War of 1913 presaged World War I, the current cataclysm in the Balkans is poised to herald a new era in the Middle East: the West's spinelessness in one part of the former Ottoman Empire undermines its position in the other part. Whereas at the beginning of the twentieth century the Balkans were a powder keg for a classic nation-state war, now they are a powder keg for a twenty-first century cultural war between the Christian West and the worldwide House of Islam.

The alliances that have taken shape in the Balkans resemble those of earlier this century. There is the north-south Byzantine configuration made up of the Orthodox Christian world: Greece, Serbia, Russia and even Romania, where water-sharing agreements and a resurgence of Orthodox-related fascism are pulling it closer to the Serbian orbit. Then there is the east-west Muslim alliance of Turks and Albanians, both in Albania-proper as well as in Kosovo and Macedonia. As in the past, this anti-Serb grouping is backed by Croatia.

As in the Second Balkan War, Bulgaria is the odd man out, an Orthodox Christian state, but one with a historic animosity both to Turkish Muslims and to fellow Orthodox Serbs. Since 1989 Bulgaria has been as pro-Western as it was once pro-Soviet. But the anti-Communist Union of Democratic Forces has split up, and the neo-coms are back. Privatization has stalled, and anger over Macedonia could set in. Still, given the choice between a sane Ankara and an insane Belgrade, the Bulgarians are likely to line up with the Muslims.

Ground zero for the coming century of culture clash is Macedonia—the place where both alliances intersect. Macedonia is the strategic heart and trade crossroads of the southern Balkans, through which all ground transport must go. Macedonia is itself divided between Orthodox Christian Slavs and Albanian Muslims. As in the Middle Ages, it might again become part of Greater Serbia. Likewise, it could be folded into Greater Bulgaria. It will likely require massive Western military intervention for Macedonia to stay independent; President Clinton's bluff on the 300 ground troops is likely to be called.

In addition to the Balkan alliances, there are the Great Power alliances, which are also reminiscent of previous wars. Germany, Austria, Italy and Turkey (the old Axis-Central power arrangement) have been enthusiastic about resisting the Serbs militarily. Great Britain, France, Russia and lately the United States (the old Allies) have been less so. Now the bad guys of yore, the Axis, are occupying the moral high ground, seeing the war as another Holocaust, with Muslims as victims and Serbs as villains. The Allies have taken a morally ambiguous, albeit practical stance, viewing the conflict as a civil war, where the line between good and evil is too confusing to distinguish. Whatever the reasons, as on previous occasions in this century, the same people are supporting the same people, proof of how geography and the mysteries of culture can triumph over mere politics.

But here is where the past ends. Greater Croatia and Greater Serbia, two bad ideas, are about to come into being, as the partition of Bosnia becomes inevitable. We are at a dead end. Rolling back the Serbs would require several hundred thousand troops and a stay of perhaps a decade in the Balkans. That is just *not on*. And anything else—bombing Belgrade, arming the Muslims, putting a few more troops in Macedonia—reeks of Vietnam-style incrementalism. It also increases the risk of the war spreading to Macedonia, thereby igniting a conflict between the Byzantine and Muslim configurations.

Not only will there be partition in Bosnia, but protecting the Muslims in their enclaves may become increasingly difficult. It will involve a projection of American power similar to the kind President Bush demonstrated during the Gulf war, a scenario that is hard to imagine given the present contraction of power under the rubric of "multilateralism."

It might turn out that this issue—saving a 500-year-old Muslim civilization in Europe from extinction—will prove to be the crisis in which Clinton will surprise his critics and lead. Nobody expects the United States to shoulder the entire burden of defending these enclaves with tens of thousands of troops. But as the richest, strongest power on earth, the United States is expected to organize the effort. If Clinton instead chooses to delegate the task to the U.N., it is possible that the Muslims of Bosnia will, like the Jews of Yemen, be evacuated from their homeland. The mosques and minarets will be leveled; it will be as if they never were. And not only will mosques be gutted, so will NATO headquarters in Brussels. NATO is a cold war organization searching for a post-cold war role. If it can't find something dramatic to do in the former Yugoslavia, it will quickly become an empty shell.

Secretary of State Warren Christopher and others note that Bosnia is of no strategic importance to the Europeans or the United States. Only in the old, classical sense of strategy, based on geographic distances, are they right. We are approaching an era in which the

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computations of secular, policy-making elites—in Washington and in the affected regions—will appear positively quaint. As democracy takes hold, as the number of refugees increases and as peasants continue to migrate to cities around the world, particularly in the Middle East, national borders will mean less, even as more and more power falls into the hands of less educated, less sophisticated groups. To these empowered millions, the real borders are the most tangible and intractable ones: those of culture.

In his argument for a "clash of civilizations" in the July issue of *Foreign Affairs,* Samuel P. Huntington describes what I have long felt. The Balkans—the fault line between east and west since Roman-Byzantine days—is the strategic heart of the world. It is the place where the vectors of conflict in the Middle East, the Caucasus and the towns and cities of Germany intersect. In an era of civilization clash, defending the Muslim enclaves of Bosnia and making them a showcase of multiethnic peace and free markets will be the equivalent of defending and making a showcase out of Berlin after World War II. Europe is being defined not by Maastricht, but by what will occur in the Balkans. A continuation of the conflict will harm Europe's self-confidence and the peace in its cities with large Muslim populations.

A cultural curtain is descending in Bosnia to replace the Berlin Wall, a curtain separating the Christian and Islamic worlds. As the latest variation of anti-Semitism increases in Germany, the victors are Islamic extremists throughout North Africa and the Middle East. Never mind that the Bosnian Muslims are the most Westernized and sophisticated citizens of their region; it is what they have come to represent that matters. If Bosnia is ruined, fundamentalists will have an issue far more potent than the one of Palestine: the destruction of an entire Muslim civilization with the West's open complicity. Tehran would like nothing better, which is why it has been crying for support to the Muslims while continuing to trade with the Serbs. With a declining domestic economy, the mullahs, as well as fundamentalists elsewhere in the Islamic world, need war and culture conflict to prosper.

In the peace process, the United States' leverage with Arabs and Israelis is slipping due to the Clinton administration's failure in Bosnia. The administration believes it can move Bosnia aside in order to make room for the Middle East peace talks. What it fails to realize is that the Balkan region—except for the cold war era—*is* the Middle East. A policy of weakness in one part of the Middle East will make it harder to wring concessions out of people in another part.

These dark imaginings of the Balkans igniting cultural warfare need not materialize if we can make a stand in Bosnia the way we did in Berlin in 1945. But to do that—and to save NATO—will require a different vision of what is strategic.

ROBERT D. KAPLAN is the author of *Balkan Ghosts: A Journey Through History* (St. Martin's Press).

Sheldon Hackney's dismal record.

PLAY PENN

By Richard Bernstein

The thing to remember about the affair of the Water Buffalo at the University of Pennsylvania is that it was not that unusual for Penn. True, it did feature the colorful and ambiguous insult—"Shut up, you water buffalo"—shouted late one night by freshman Eden Jacobowitz, an Israeli-born student, at a group of black women who were partying outside his dormitory. But even that term—"water buffalo"—ironically exemplifies the very cultural diversity that Penn officially cherishes. It was a translation of a common insult normally used by one Hebrew-speaking Jew to deride another, and has no known racial connotations. Even when this fact became well known on campus, the university's Judicial Inquiry Office, which investigates violations of its code of behavior, geared up to prosecute Jacobowitz on charges of racial harassment, until the five women plaintiffs, saying they were being unfairly portrayed in the press, dropped their complaint in late May.

And, yes, the case's timing made it noteworthy. It came just as Penn's president of twelve years, Sheldon Hackney, was nominated by Bill Clinton to head the National Endowment for the Humanities. For Hackney's critics, the poor handling of the incident reflects the kind of university over which he has presided. At freshman orientation, for instance, a list of "examples of racial, gender-related, religious and homophobic incidents of harassment" used to be read aloud to students to show them how racist and sexist Penn was—until it was publicly disclosed that none of the incidents had actually taken place as described.

What Penn needed during these and other incidents was a kind of honest sheriff, a Gary Cooper figure, to stand in front of the jail house door and warn the angry mob that the law was going to be obeyed. Hackney failed to play this role. While Hackney is not alone among university presidents in his lack of fortitude, not all university presidents are about to take charge of a government agency that dispenses $150 million a year to support research, films and exhibitions in the humanities. If he did not have the determination to face the anti-free-speech zealots at Penn, what reason is there to think he will have it at the NEH?

Despite Penn's rhetoric about its multicultural harmony, racial and sexual skirmishes on campus are frequent and intense. The campus is largely segregated by race. Black, white and Asian students tend to live in sep-

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arate dormitories; they eat in separate areas of the dining halls; they belong to different organizations. Students, moreover, are commonly led to believe that racism and sexism are the dominant features not only of American society but of life at the University of Pennsylvania; and the alertness that results from this social analysis leads many to interpret the normal abrasions of life as reflections of these deep and powerful social iniquities.

Though university life is like that in many places these days, Penn seems to do all it can to encourage these racial and textual grievances. Here, for example, is the text of a letter sent by Penn to a student accused of violating the university's official Code of Conduct:

> In accordance with the agreement, you are to:
> Participate in a comprehensive program on sexual harassment, except for the time you are attending classes for which you have registered at the university or are reporting for employment. Said programming shall include weekly assignments which must be performed during each week in which classes are in session through the Spring 1992 term. You will be required to present written evidence of completion of assignments and a satisfactory performance must be documented by Ms. Elena DiLapi, Director of the Women's Center, or her representative before your transcript can be released.

The student had not been convicted of wrongdoing; yet if he agreed to participate in the "comprehensive program on sexual harassment," the charges would be dropped. Asked about the university's efforts to offer a plea bargain arrangement to students accused of violating the harassment rules, DiLapi, who is known around campus for her strong ideological views, said that she would not comment on any disciplinary proceeding, though she added that she did not know of any form on which her name appeared. When I told her that I had such a form, she again said that she had no comment. University Vice Provost Larry Moneta, to whom the inquiry office reports, reiterated that disciplinary matters were kept confidential and that each case was handled individually. The kind of plea bargain suggested in the document, he explained, was an isolated instance. I later found out that Alan Kors, a history professor, wrote to Hackney about the form. Hackney wrote back to him after months to say that as far as he knew, it had been a one-time episode.

But in fact it wasn't an isolated incident. Eden Jacobowitz was offered a similar settlement by Penn's assistant Judicial Inquiry officer, Robin Read. In a letter to Jacobowitz, Read specified that his case would be dropped if he agreed to several terms, among them that he write a letter of apology "acknowledging inappropriate behavior" and that he present a "program for living in a diverse community environment," a somewhat vague locution that apparently meant that he should devise his own diversity training program. The letter also specified that the notation "violation of the code of conduct and racial harassment policy" would stay in his transcript until his junior year, provided he committed no further transgressions. In signing the agreement, Jacobowitz would also have waived his right to appeal.

Jacobowitz refused to sign. Instead, he and Kors, his faculty adviser, assembled witnesses to testify on Jacobowitz's behalf. But the university postponed the hearing on the grounds that the plaintiffs did not have a faculty adviser. By the time a second hearing was scheduled, most of Jacobowitz's witnesses had gone home for the summer. Still, he was ready to have his day in court, when his accusers dropped the charges.

And Jacobowitz was not alone; the inquiry office had gotten involved in yet another settlement case. Every year the *Daily Pennsylvanian*, the student newspaper, has a single conservative columnist. Last season's was a young man named Gregory Pavlik. Pavlik wrote several particularly controversial columns. One argued against Martin Luther King Day on the grounds that King was an adulterer and a plagiarist. Another was critical of affirmative action. Last spring Pavlik received a call from the inquiry office informing him that he was under investigation for racial harassment because of the opinions he had expressed in his columns. But, he was told, the charges would be dropped if he would agree to a meeting with thirty-one of his accusers. Pavlik rejected the settlement. Eventually, at Hackney's urging, the inquiry office dropped its threat.

Meanwhile, in protest against Pavlik, a group of black students confiscated and destroyed the entire press run of the *Daily Pennsylvanian*, arguing paradoxically that Pavlik's columns were racial harassment and that their action was a legitimate protest protected by the rules of free expression. No disciplinary action was taken against them. "Two important university values, diversity and open expression, appear to be in conflict," Hackney said in a much quoted statement. His remark played into the hands of critics and commentators who saw it as an implicit acknowledgment that at Penn diversity is intended to be racial but not ideological. A double standard did seem to apply in defining harassment.

The most striking precedent to the "water buffalo" case at Penn involved Murray Dolfman, a lecturer in legal studies. On February 13, 1985, at a rally of mostly black students, Dolfman was denounced for an allegedly racist statement he had made the previous November. Word spread across campus that Dolfman had referred to black students in his class on constitutional law as "ex-slaves."

The news of Dolfman's amazingly clumsy alleged remark convulsed the campus for weeks. There were protests by the Black Student League, a petition signed by 109 black faculty members and administrators, an eight-hour vigil on Hackney's lawn. Hackney and other administrators met with students from the Black Student League. After that, according to the student newspaper, they issued a "reprimand" of Dolfman. Hackney called for an investigation and began asking deans to promote "discussions of racial concerns."

Meanwhile, about 200 black students disrupted a

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large lecture class that Dolfman was teaching. When he tried to move to a different room, the students disrupted that class as well. Such action is forbidden by the university's code of conduct. But rather than reprimand the black students, Hackney summoned Dolfman to his office. "We discussed the whole incident, and he said to me, 'I want you to write something up that we can use in the form of an apology,'" Dolfman told me.

On February 18 Hackney released a statement informing the student body that in his talk with Dolfman he had "emphasized the seriousness with which I regarded the incident in his class" and told him that "a public apology from him was in order." Dolfman's apology was appended to Hackney's statement.

It might seem odd that the president of a great Ivy League institution would ask for an apology even before receiving the results of an investigation that he himself ordered. Pressures on campus were intense, and Hackney must have feared an explosion of unrest if he didn't slake some of the thirst for revenge against the egregious Dolfman. The Black Student League, encouraged by faculty members, had presented a list of demands to the university, and Hackney seemed to be trying to give the impression of doing something while not acceding to everything right away. The demands were: the dismissal of Dolfman; mandatory racism awareness workshops; an increase in hiring of black faculty.

The administration did not dismiss Dolfman. Still, within one week of the first student demonstrations, a special Council of Deans agreed to sponsor what were called "awareness programs." The president, in a public letter dated February 21, wrote that "we are grateful" to the students who had "brought forward sharply and clearly a number of real concerns on this campus." Thomas Erlich, the provost, declared: "The remarks that were attributed were wholly inappropriate."

The black students and their faculty backers remained unsatisfied. A delegation from the Black Student League stormed out of a meeting with Hackney and other administrators because their demand for Dolfman's dismissal was not being met. The next day about 200 students occupied Hackney's office for an hour.

About a month after the initial accusations, the University Council, the group of faculty, administrators and students that advises the president, took a straw vote on Dolfman. It was 15 to 4 in favor of suspension. Robert E. Davies, a professor of molecular biology and the person who proposed the vote, told the campus newspaper

Buffaloed

To hear University of Pennsylvania students Eden Jacobowitz and Gregory Pavlik tell it, the media frenzy over racial intolerance at Penn was the worst thing that ever happened to them. Jacobowitz was hauled up on charges of racial harassment for yelling, "Shut up, you water buffalo," at a group of black students; Pavlik is a student columnist whose fulminations against affirmative action prompted the Black Student League to dump a day's issues of the *Daily Pennsylvanian*. "The damage Sheldon Hackney has done to me is immeasurable," sobbed Pavlik at a June 27 press conference. "My future was almost ruined," wailed Jacobowitz.

In fact, it's never looked brighter. Far from retreating into a corner to lick their wounds, Jacobowitz and Pavlik are busy sifting through media inquiries. Both have been haunting the news shows, uncorking statements and press releases and personally lobbying senators in opposition to Hackney.

The students' bid for political martyrdom was orchestrated by none other than conservative activist Floyd Brown, who invited Pavlik and Jacobowitz to fly to Washington on his tab. Brown's organization, Citizens United, whose previous credits include the 1988 Willie Horton ad and the 1992 "1-800-GENNIFER" hotline, isn't exactly known for its interest in First Amendment questions. "Free speech is not our main focus," admits David Bossie, the group's political director. "Our goal was and is to defeat Bill Clinton." But previous anti-Clinton power plays flopped. After dispatching investigators to Little Rock to harass the families of Clinton's rumored ex-girlfriends, the group was rebuked by both the Federal Elections Commission and a mortified Bush campaign. "Despicable," thundered Marlin Fitzwater. So today the group is trying a different tack. "I'd call up a [Senate] staffer, and I'd say, I'd like to meet with the senator. I've got Eden Jacobowitz with me," Bossie says. "And they'd say, Who? And I'd say: You know, the water buffalo man. And they'd go, You've got him? You've got the guy who did that? He had a certain status. He was like a celebrity."

First on the agenda was a "Victims of Sheldon Hackney" press conference, featuring the survivor stories of Jacobowitz and Pavlik. "ABC was there. CNN was there," enthuses Bossie. "We printed up sixty-two press packets—and we ran out!" Jacobowitz, with his earnest telegenic feistiness, is a very attractive package. Pavlik, a '92 Buchanan delegate, is not exactly a pristine martyr for free speech. After the press conference, Bossie shucked off Pavlik and squired the more winsome Jacobowitz around Capitol Hill. "Greg didn't have as much time," Bossie explains. "He had a work problem. He stayed for the press conference and went right back." (A befuddled Pavlik says he was never asked to stay.)

According to Brown, Jacobowitz owes him a debt of gratitude for giving him a chance to salvage his reputation. "Eden is very grateful for our help," he says. "He feels that without it, he wouldn't have done anything this dramatic. Our involvement gave him a real impact." And while Jacobowitz says that "I didn't know until I got to Washington how anti-Clinton [Citizens United] was," he is happy to have had Brown's help. "I just went up there to make sure my story got told. I didn't sense anything overtly political."

If the greenhorn Jacobowitz didn't sense any overt maneuverings, the senators Brown paraded him around to sure did. "To me, it was a little disappointing," says one Senate staffer. "My boss considers this guy's story quite credible. It's a little unfortunate that strident groups who don't care as much about the truth would be leading this guy around—a guy we expected to have a real legitimate story."

RUTH SHALIT

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that, though the charges should be investigated, Dolfman's actions were serious enough to warrant suspension. "I believe in due process," the paper quoted Davies as saying, "but it doesn't mean you cannot take immediate action."

On March 28 the Wharton School Committee on Academic Freedom and Responsibility, charged with investigating the incident, issued its report. For twenty-two years, it said, Dolfman's evaluations indicated that he "has been and remains an extremely popular teacher." The report also showed something about Dolfman's teaching style. He "routinely singles out students for questioning and often asks them to repeat recitations or readings." The report said there was no evidence that Dolfman had referred to black students in his class as "ex-slaves" except on that one occasion in November 1984.

As for that incident, the report said this:

> Mr. Dolfman asked the class what Constitutional Amendment related to the concept of involuntary servitude. There was no response. Mr. Dolfman observed that if anyone should know the answer, it would be the black students. He then asked the black students in the class ... if they could recite the 13th Amendment. When none could do so, Mr. Dolfman asked one black student to stand and read the amendment out loud. Mr. Dolfman then expressed surprise that while he, as a Jew and a "former slave," celebrated Passover, the black students, whom he likewise called "former slaves," or "ex-slaves," did not celebrate the passage of the 13th Amendment.

The report could certainly be taken as an exoneration of Dolfman. Indeed, Dolfman told me that there were two versions. The first made no judgment on his behavior. The second referred to the allegations against Dolfman and said "such behavior ought not be conducted." Using that phrase as justification, Dean Russell E. Palmer of the Wharton School suspended Dolfman for one semester, his return conditional on his participation in "sensitivity and racial awareness sessions," after which he would be on probation, with "appropriate monitoring by the Legal Studies Department." Hackney commended Palmer, terming his decision "fair in substance," and concurring that Dolfman's conduct "was not acceptable and must not be allowed to continue."

At his confirmation hearings before the Senate Labor Committee in June, Hackney presented himself as someone who has defended the rights of free speech of the left and of the right. Certainly, at least half of that statement is true. Hackney was outspoken in his defense of the National Endowment for the Arts when it was under attack for subsidizing "obscene" art. The year before, when Louis Farrakhan was invited to Penn to speak, Hackney told a troubled university community: "We can't have free speech only some of the time, for only some people. Either we have it, or we don't."

Why then the Jacobowitz case? Why the absence of any defense of Dolfman's academic freedom? Hackney claimed in the Jacobowitz case to have been unable to interfere with the university's independent judicial process. As for Dolfman, he said that the matter was decided by the faculty. These seem to be partial and self-serving accounts from the university's highest official, who, strangely, elaborated in these same hearings times when he did intervene in the judicial machinery. And so, again the question: Is Sheldon Hackney, whom the Labor Committee approved unanimously on July 14, capable of being the good sheriff the NEH so badly needs?

RICHARD BERNSTEIN is writing a book about multiculturalism.

Judge Ginsburg's feminist challenge.

THE BOOK OF RUTH

By Jeffrey Rosen

A few days after the president nominated her to the Supreme Court, Ruth Bader Ginsburg received a fax from a member of the Rotary Club in Bernardsville, New Jersey. On June 18, the writer reported, one of Judge Ginsburg's law school classmates had presided over a Rotarian induction ceremony; and during his formal remarks after dinner, the classmate recalled that he and his friends had known Ginsburg "by her law school nickname, 'Bitch.'" Apologizing profusely, the writer assured Ginsburg that he had asked Rotary Club authorities to ban "sexist and scatological statements" at all meetings in the future. Ginsburg read the fax silently. She then exclaimed, "Better bitch than mouse."

The phrase almost epitomizes the vision of feminism that Ginsburg championed as an advocate in the 1970s: a rejection of the traditional idea that women and men occupy separate spheres, in which women are

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naturally passive and men aggressive; an attack on laws treating men and women differently, especially those designed to protect "the weaker sex"; an insistence that special benefits for women be extended to men; a preference, in short, for equal rather than special treatment for women. Ginsburg's vision of equality, much of which she persuaded the Supreme Court to enact, informs her views about many of the most controversial questions in constitutional law. It is also crucial to understanding her criticisms of *Roe* v. *Wade*.

In the 1980s, however, Ginsburg's symmetrical vision of sex equality came under bitter attack by a new generation of feminist legal scholars who argued that the law should emphasize women's differences from men, rather than their similarities. The new feminists called Ginsburg "phallocentric" and "assimilationist" for challenging classifications that burdened men as well as women, and for mostly representing male plaintiffs. "As applied, the sameness standard has mostly gotten men the benefit of those few things women have historically had—for all the good they did us," Catharine MacKinnon, now at the University of Michigan, wrote in 1984.

Rather than seeking legal equality, MacKinnon argued, feminists should target instead the broader evil of social structures that "devalue" women. Accordingly, the feminists of the 1980s sought to resurrect many of the special protections for women that Ginsburg had opposed, from sweeping bans on pornography to child rearing benefits for mothers but not fathers. The perverse debate among feminists about whether Ginsburg's advocacy hurt more than it helped women brings to mind Malcolm X's attacks on Thurgood Marshall for being insufficiently black. It also explains some of the ambivalence in the women's movement surrounding Ginsburg's nomination to the Court.

Ginsburg's public responses to her feminist critics have been typically circumspect. She has not concealed her hurt feelings, however, that some of her feminist successors have failed to appreciate her achievements. At a 1988 symposium at the University of Chicago on the feminist legal thought of the 1970s, she lamented the "discordant ... tendency to regard one's feminism as the only true feminism, to denigrate, rather than to appreciate the contributions of others." In response to critics like Mary Becker of the University of Chicago, she called the charge of assimilationism "not fair ... the litigation of the 1970s helped unsettle previously accepted conceptions of men's and women's separate spheres."

Privately, she has felt less constrained. After hearing MacKinnon advocate broad restrictions on pornography at Columbia Law School in the late '70s, Ginsburg confided to a friend, "That woman has bad karma." And after reading Katha Pollitt's attack in *The Nation* last December on Carol Gilligan, Nancy Chodorow and other difference feminists who claim that women are more peaceful and nurturing than men, Ginsburg impulsively sent Pollitt a fan letter. (She enclosed a clipping about the movie *Orlando*, based on Virginia Woolf's novel about a man who becomes a woman.)

The great irony of the 1980s debate about special treatment versus equal treatment for women, as Ginsburg noted in a 1984 speech, is that the "separate modes thesis" of the new legal feminists looks very much like "the old typology in which the female is classified in terms of passion and its bonds, the male in terms of reason and its distinctions." And it was this typology of difference that justified the legal subordination of women until the 1970s. Most laws that drew an explicit distinction between men and women, Ginsburg notes repeatedly in her speeches and articles, did so ostensibly to protect women, or "benignly prefer" them. Laws prescribing the maximum number of hours women, but not men, could work; laws excluding women from "hazardous" occupations such as bartending; even laws requiring men but not women to serve on juries—all used the rhetoric of "separate but equal" to conceal their assumption that women could not fend for themselves.

As general counsel of the ACLU's Women's Rights Project from 1972 to 1980, Ginsburg sought to persuade the Court that legislation apparently designed to benefit or protect women could often, perversely, have the opposite effect. For this reason, she chose to represent a series of male plaintiffs who had been denied benefits designated for women, forcing the Court to articulate a standard of scrutiny for gender discrimination that could be applied neutrally to either sex. In *Frontiero* v. *Richardson* (1973), for example, she argued that the husbands of servicewomen deserved the same health benefits as the wives of servicemen. By convincing the Court to extend the benefits to male spouses, she won a victory for servicewomen, who were in effect being paid less than their male counterparts.

Similarly, in *Weinberger* v. *Wiesenfeld* (1975), Ginsburg represented a young widower who had been denied the Social Security survivor's benefits for which he would have qualified if he were female, and which would have enabled him to remain at home with his infant son. The law appeared to discriminate against men alone, but Ginsburg argued successfully that the discrimination was, in fact, "double edged": it relied on "archaic stereotypes" of men as breadwinners and women as care givers, and it required women to pay the same Social Security taxes as men but gave fewer benefits to their families.

Throughout the '70s, Ginsburg's work was supported by a broad consensus among feminists, even in the cases she lost. (In 1974, for example, the Court rejected her challenge to a Florida law granting widows, but not widowers, an annual $500 property tax exemption.) But toward the end of the decade the consensus began to break down over the question of pregnancy. Should pregnancy be viewed as a unique condition, not legally comparable to anything that men experience, as both the conservative justices and the new feminists came to argue? Or should pregnancy, as

continued on page 29

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{ polished
timeless
emotional
personal
spectral
sensate }

passion

THE MUSIC OF

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natalie

[TAKE A LOOK] firmly establishes Natalie Cole as a *polished* pop-jazz stylist who is a hybrid of her father, Ella Fitzgerald and the young Aretha Franklin. She [has] emerged as a mature performer who blends pop, jazz, and soul with an ease and fluency that seem practically effortless.

THE NEW YORK TIMES

COLE

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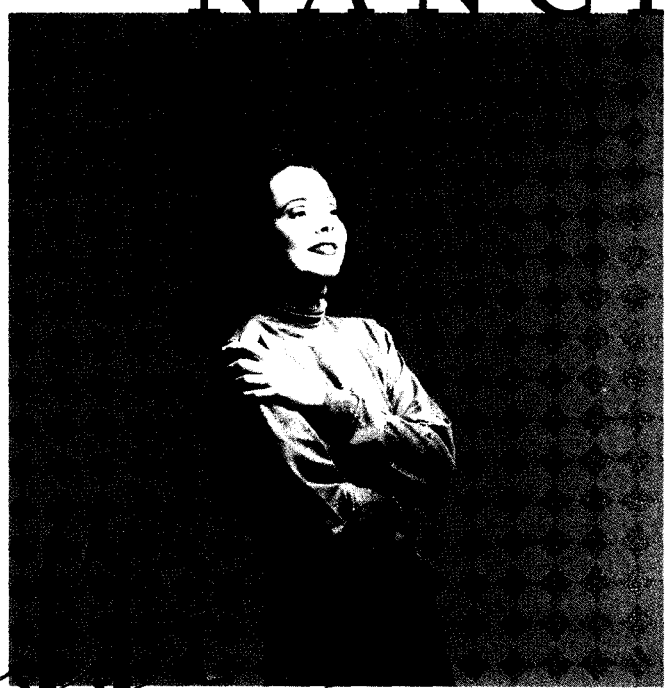
NANCI



Griffith

What the blues
is to Bonnie Raitt,
folk music is to
Nanci Griffith—a
personal passion
and a musical
foundation.

LOS ANGELES TIMES

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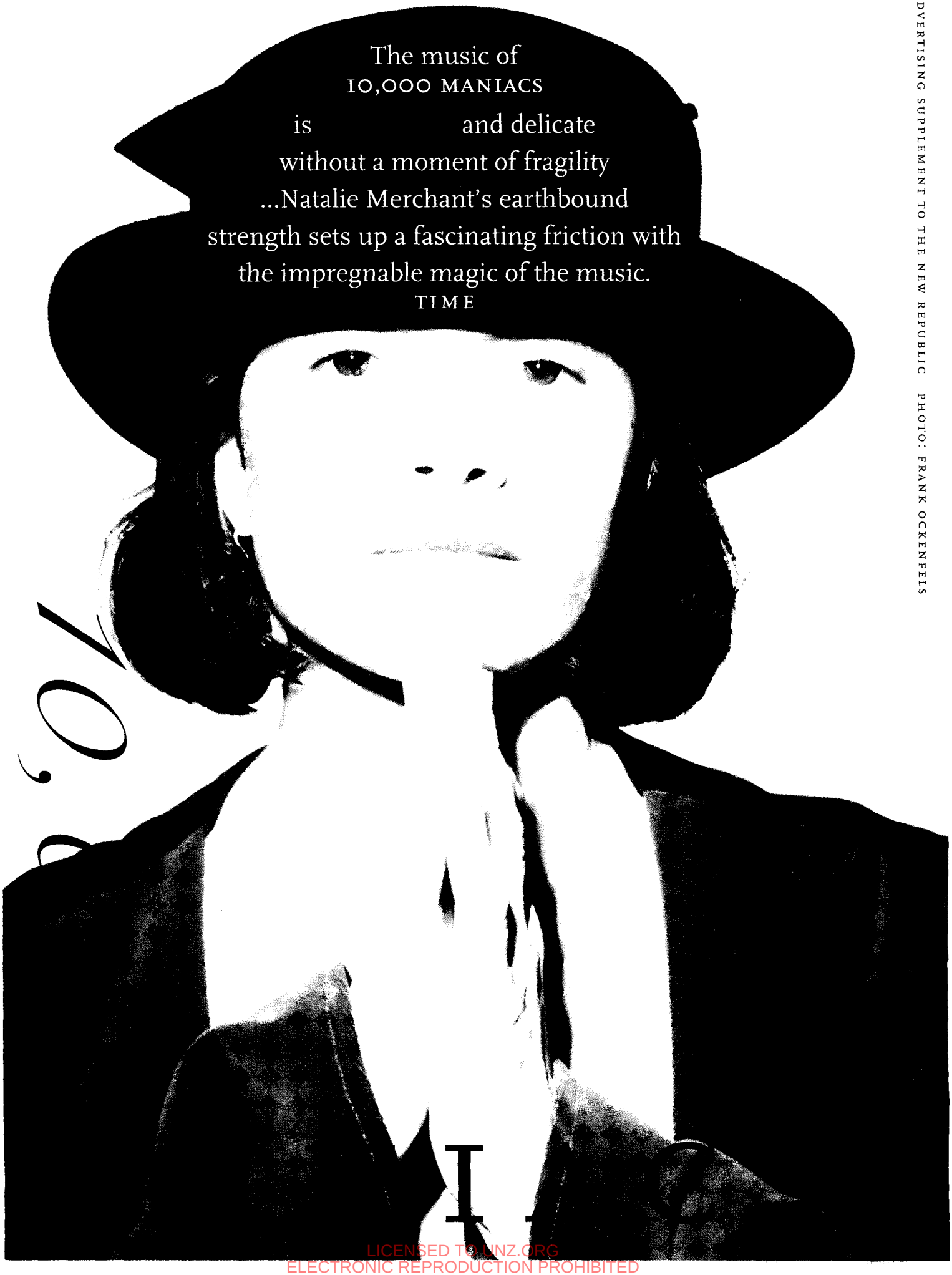

PHOTO: FRANK OCKENFELS

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GILMORE

Gilmore's rich, haunting voice, with its reedy echoes of Willie Nelson, has a *timeless*, almost disembodied cast that makes it a perfect instrument for addressing questions of eternity without sounding pompous. LOS ANGELES TIMES

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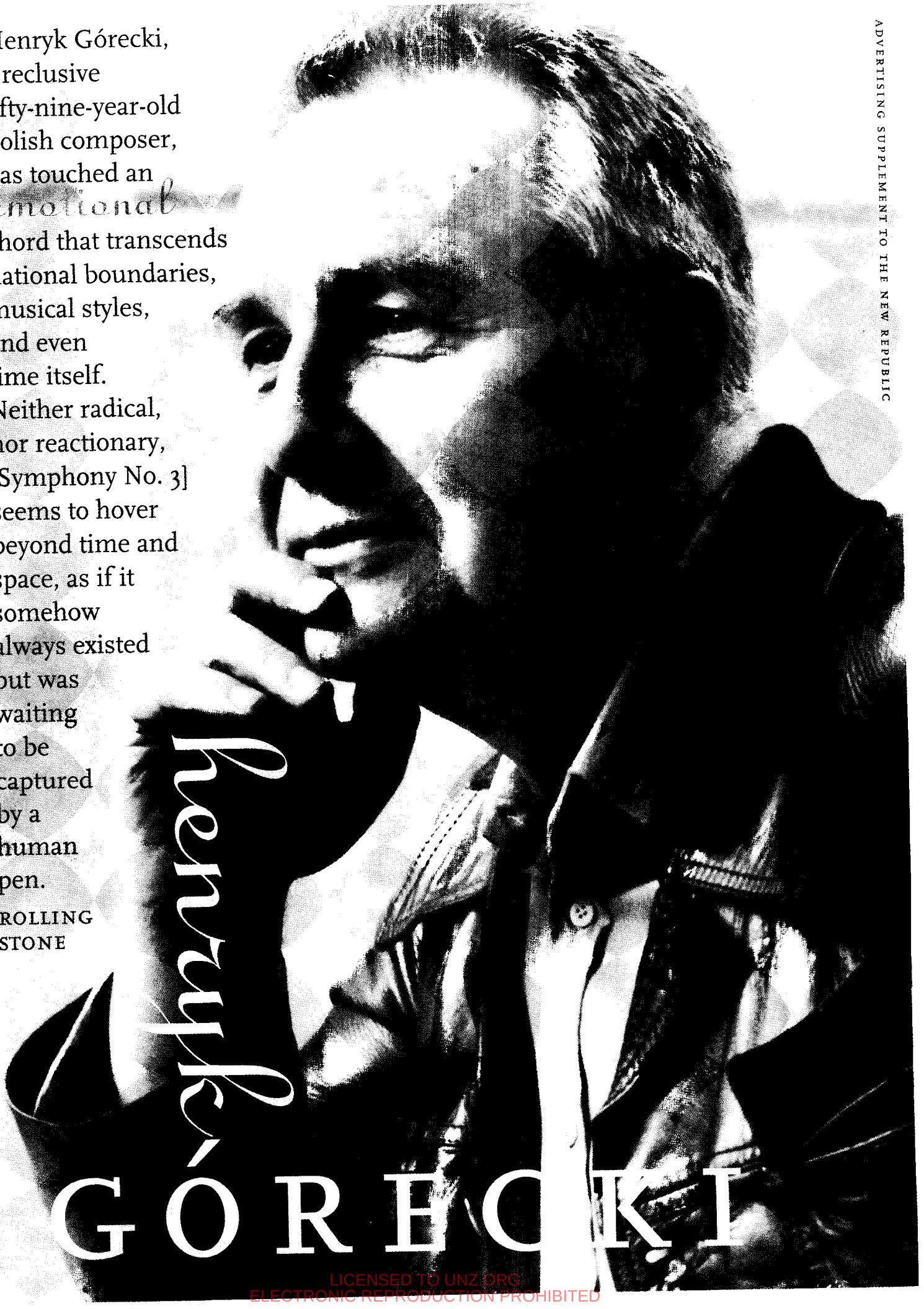
ADVERTISING SUPPLEMENT TO THE NEW REPUBLIC

Henryk Górecki, a reclusive fifty-nine-year-old Polish composer, has touched an emotional chord that transcends national boundaries, musical styles, and even time itself. Neither radical, nor reactionary, [Symphony No. 3] seems to hover beyond time and space, as if it somehow always existed but was waiting to be captured by a human pen.

ROLLING STONE



Henryk

GÓRECKI

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Nina SIMONE

Not unlike the mythic *Charlie Parker With Strings,*
this album finds Nina Simone,
her deep and sensuale voice, nestled among
arrangements featuring strings and guitars,
allowing the power of her vocals to
float and penetrate our realities at will.

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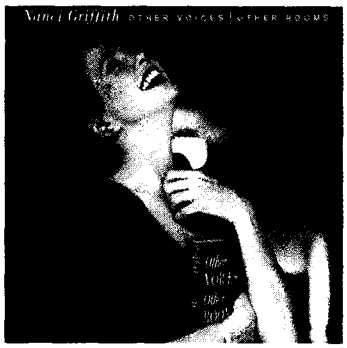
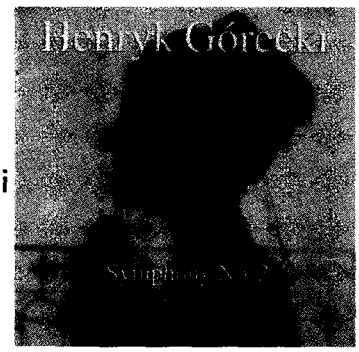


OTHER VOICES, OTHER ROOMS **Nanci Griffith**



Henryk Górecki SYMPHONY NO. 3

OUR TIME IN EDEN **10,000 Maniacs**

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Natalie Cole TAKE A LOOK

SUN **Jimmie Dale Gilmore** AROUND THE SPINNING

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Ginsburg argued, be viewed as a temporary occupational disability, comparable to other disabilities like prostate cancer or a broken leg?

Ginsburg first articulated her view that "disadvantaged treatment" on the basis of pregnancy is tantamount to sex discrimination in a 1972 case, *Struck* v. *Secretary of Defense*. Representing a Catholic servicewoman who refused to have an abortion, Ginsburg challenged an Air Force regulation requiring all women officers to be discharged as soon as they became pregnant. The regulation, Ginsburg argued, amounted to unconstitutional sex discrimination because it treated pregnancy far more harshly than it treated other temporary disabilities affecting men *and* women.

The *Struck* case became moot before it reached the Supreme Court, but the justices soon rejected Ginsburg's views about pregnancy in two related cases. In 1974, and again in 1978, the Court held that California could compensate workers for all occupational disabilities *except* pregnancy, without violating the Constitution or Title VII, which prohibits discrimination "on the basis of sex." Rather than discriminating between men and women, Potter Stewart held, the California law made a reasonable distinction between "pregnant women and nonpregnant persons."

After the 1978 decision, Ginsburg and Susan Deller Ross, a staff attorney at the ACLU, wrote an op-ed in *The New York Times* calling on Congress to repudiate the Court's interpretation of Title VII. "If it is not sex discrimination to exclude pregnant women from standard, fringe benefit programs," they wrote, "is it sex discrimination to fire pregnant women, refuse to hire them, force them to take long, unpaid leaves or strip them of seniority rights when they return to work?" Congress promptly obliged by passing the Pregnancy Discrimination Act, which says explicitly that Title VII's ban on sex discrimination in the workplace includes discrimination on the basis of pregnancy.

Five years later, however, the consensus among feminists had disintegrated entirely. The catalyst for the split was a California law that gave pregnant women special maternity leaves. Ginsburg had already become a judge; but the ACLU, relying on the theories she had developed, argued that the California law was inconsistent with the Pregnancy Discrimination Act's command that pregnant women "shall be treated *the same*" as other temporarily disabled workers. Rather than invalidating the maternity leaves, the ACLU argued, the Court should extend the leaves to men.

ACLU staff members who worked on the brief recall being "viciously attacked" by feminist organizations in California, who accused them of being anti-woman. The California groups, led by Christine Littleton of the Coalition for Reproductive Equality, argued that special benefits for pregnant women are necessary, despite their violation of formal equality. Because most workplaces are designed with men in mind, they argued, women need to be treated differently to be treated equally.

In a 1984 speech, Ginsburg tacitly endorsed the ACLU's position, noting the "boomerang effect" of special pregnancy benefits for women, who are less likely to be hired in the first place. She also pointed to a legislative alternative, the Family Medical Leave Act, which creates child rearing benefits that can be claimed by men *or* women. But in the 1985 *Calfed* case, the Supreme Court upheld the California law; and the special treatment camp claimed vindication. Its leaders then seized on the victory to propose far more radical benefits for pregnant women, such as Littleton's 1987 suggestion that the government should be required "to pay mothers the same low wages and generous benefits as most soldiers."

The bitter debate among feminists about pregnancy benefits has dramatic implications for the legal status of the right to choose abortion itself. For as Ginsburg noted in a 1986 article, "The characterization of pregnancy discrimination as sex discrimination, requires the comparative analysis of the equal protection model. Its emphasis is on what is *not* unique about the reproductive process of women." By contrast, the difference feminists focus on what *is* unique about childbirth. They advocate special treatment for pregnant women based on their premise that men and women are not "similarly situated" because of their reproductive differences. But this was the same premise Stewart had invoked in his 1974 holding that discrimination *against* pregnant women is permissible.

Ginsburg noted the "interrelationship" of the reproductive autonomy and pregnancy benefit cases in a series of articles in the 1970s. But she waited until a 1984 speech at the University of North Carolina to argue explicitly that the *Roe* Court should have relied on sex discrimination, rather than privacy, in protecting the right to choose abortion. Her reason for waiting appears to have been partly strategic, dictated by the politics of the Equal Rights Amendment. The ERA's ratification was seriously threatened by Phyllis Schlafly's charge that the amendment might create abortion on demand—as indeed it might have, if abortion restrictions were seen as a form of sex discrimination. As a result, Ginsburg stressed in her many pro-ERA speeches and articles that the sponsors of the amendment intended to create an exception for physical characteristics unique to one sex. And under Ginsburg's direction, the ACLU drafted a coy response to the question of whether the ERA would protect abortion rights: "In *Roe* v. *Wade*, the Supreme Court decided that abortion rights are protected by the right to privacy."

By 1984, however, the ERA was clearly defeated. Both Ginsburg and Sylvia Law, a law professor at NYU, at last felt free to argue explicitly that abortion restrictions are a form of sex discrimination. Ginsburg's criticisms of *Roe* occupy only part of her article. Quoting Paul Freund of Harvard, she argues that the Court should have simply struck down the extreme Texas law at issue

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in *Roe* because "a law that absolutely made criminal all kinds and forms of abortion ... is not a reasonable accommodation of interests." Her observation, now hotly disputed, that there was in the early 1970s a legislative trend "toward liberalization of abortion statutes" is a direct quotation from *Roe* itself.

The more radical part of Ginsburg's argument is the alternative she envisions: a "synthesis" that would apply the logic of sex equality to cases involving reproductive autonomy and pregnancy, as well as formal classifications between men and women. In her North Carolina speech, she attributes the synthesis to Kenneth Karst's 1976 foreword in the *Harvard Law Review*, "Equal Citizenship Under the Fourteenth Amendment." In her Madison lecture at NYU last March, Ginsburg omitted the references to Karst and emphasized instead her own distinctive contribution to the abortion debate, the 1972 *Struck* brief, in which she argued that "exaltation of woman's unique role in bearing children has, in effect, restrained women from developing their individual talents ... and has impelled them to accept a dependent, subordinate status in society."

It is ironic that pro-choice activists such as Kate Michelman of NARAL have expressed concern about Ginsburg's views on abortion. Despite her criticisms of the sweep of *Roe*, Ginsburg has never publicly questioned the constitutional foundations of the right to privacy itself. In her *Struck* brief, she noted that "individual privacy with respect to procreation and intimate personal relations is a right firmly embedded *in this nation's tradition* and *in the precedents of this Court*." MacKinnon, by contrast, rejects the idea that sex is a private matter, since it implies that government has no legitimate concern with what happens to women behind the bedroom door, where sex, according to MacKinnon, is often like rape.

Although Ginsburg criticizes *Roe* for its immoderation, furthermore, her alternative grounding for abortion rights is potentially far more sweeping. Her North Carolina speech argues explicitly that government has an affirmative duty to fund abortions for poor women. By subsidizing all medically necessary procedures *except for* abortion, she suggests, the Hyde amendment prevents the government from performing its "duty to government impartially." If the constitutional test is framed as abstractly as Ginsburg frames it, in fact, then it might well require, in Karst's words, "the invalidation of all rules of substantive law which overtly impose dependency on women, together with a lively judicial sensitivity to the role of law in the symbolism of dependency." Despite their very different premises, it is not easy to distinguish this vision from MacKinnon's alternative test, which would strike all laws that "integrally contribute to the maintenance of an underclass or a deprived position because of gender status."

Ginsburg's criticisms of *Roe* are indeed intelligently nuanced. (See "The List," TNR, May 10.) But in addition to its potentially unbounded quality, the sex discrimination argument raises several other questions. Ginsburg's central premise is that anti-abortion laws, like employment discrimination against pregnant women, are based on "stereotypical assumptions" about women as care givers. But it is at least arguable that abortion restrictions today, unlike those in the late nineteenth century, are motivated exclusively by views about the sanctity of life, and may not reflect stereotypes about women after all. Ginsburg also faces a formidable obstacle in the 1979 *Feeney* case, in which the Court held unanimously that when neutral laws have a "disparate impact" on women, they are unconstitutional only if the legislators clearly *intended* to discriminate against women.

Ginsburg has not attempted, finally, to root her vision in constitutional history. "The framers of the Fourteenth Amendment did not contemplate sex equality," she wrote as an advocate in a 1976 article. "Boldly dynamic interpretation, departing radically from the original understanding, is required to tie to the ... equal protection clause a command that government treat men and women as individuals, equal in rights, responsibilities and opportunities." Some more recent liberal scholars, in fact, have tried to argue that the framers of the Civil War amendments did intend to single out sex discrimination for special scrutiny. But Ginsburg has not yet indicated whether she thinks their work is convincing, or germane.

Although Ginsburg's ambitious attempt to synthesize the abortion cases and the sex discrimination cases deserves respect for intellectual consistency, in short, it may be too abstract, in its current formulation, to be entirely persuasive. At her hearings, perhaps she could be asked to discuss in greater detail her views of the relevance of history, and the precise role of stereotypes, in

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deciding whether abortion regulations violate the equal protection clause.

Despite their radical implications, nevertheless, it seems unlikely that Ginsburg would apply her views about sex equality in radical ways. Her real objection to *Roe* is its immoderation, after all. And her opinions on the Court of Appeals suggest that her preference for what she calls "measured motions" in constitutional adjudication is more than rhetoric. On a court whose hands are usually tied by the Supreme Court, Ginsburg tends to stick unusually close to the governing law. In many of her opinions, there are few glimpses of Ginsburg's own views; instead, she scrupulously describes the relevant precedents and applies them without fuss or fanfare. As a justice rather than a judge, presumably, Ginsburg will feel less inhibited about expressing her own constitutional views. But even those who know her best cannot confidently predict whether the change in role will liberate her to act more as a judicial prophet and less as a priest.

A final question is whether Ginsburg will be consistent when applying her jurisprudence of equality in areas beyond gender. In the 1984 *Dronenberg* case, for example, she voted not to rehear Robert Bork's rambunctious opinion that the right to privacy doesn't protect homosexual conduct. "In my view," she wrote, "lower court judges are not obliged to cede to the law reviews exclusive responsibility for indicating a need for, and proposing the direction of, 'further enlightenment from Higher Authority.'" But she then refused to say whether she agreed with Bork or with the liberal dissenters, who thought the Army's very different treatment of heterosexuals and homosexuals called for "serious equal protection analysis." Instead, she insisted that the case was controlled by the Supreme Court's summary affirmance of an obscure district court opinion. Her short statement is unsatisfying not because it reveals whether Ginsburg would extend her vision of sex discrimination to include homosexuals, but because it doesn't.

In evaluating race-based affirmative action programs, by contrast, she has been less concerned about ferreting out stereotypes. Voting to strike down a set-aside program for minority contractors last June, she wrote separately to register her belief that "remedy for past wrong is not the exclusive basis upon which racial classification may be justified." This is more expansive than her view of affirmative action programs for women, which should only be upheld, she suggested in a 1989 article, "if in fact adopted by the legislature for remedial reasons, rather than out of prejudice about 'the way women are.'"

Ginsburg defends the different standards by emphasizing that the sources and effects of race and sex discrimination are often different. "With respect to women, the *Bakke* case is superfluous," she told *Newsweek* in 1979, noting that women do better than men on the LSAT. But she has also argued that the separate university admissions policy in *Bakke* should have been upheld as an effort to open the way to "genuinely equal opportunity" for blacks by "restructuring the medical profession." Ginsburg has not yet been asked to engage the argument that explicit quotas along the *Bakke* model may perpetuate stereotypes, rather than alleviate them.

If Ginsburg is confirmed, she will have dramatic opportunities to develop her vision of the jurisprudence of equality over the jurisprudence of difference. She may, in time, be asked to pass judgment on many of the "benign preferences" for women that her intellectual opponents have endorsed: comparable worth policies that seek to reimburse women for traditional occupations, such as motherhood; statutory rape laws with different ages for women than for men (Ginsburg questioned their constitutionality while at the ACLU); child custody laws preferring mothers to fathers; the Violence Against Women Act, which enhances penalties for crimes "motivated" by gender. She will also be able to re-examine some of her past positions that are arguably inconsistent with a symmetrical vision of sex equality, such as the 1971 article in which she endorsed David Riesman's suggestion that single-sex colleges for women, but not men, might be constitutional because "if America were now a matriarchy ... we would regard women's colleges as a menace and men's colleges as a possibly justified defense."

In her first weeks on the Court, in fact, Ginsburg will confront a sexual harassment case in which the internecine battles of the women's movement seem to converge. In deciding whether women who are offended by a hostile work environment must prove that they have suffered from "psychological injury" to make out a claim under Title VII, Ginsburg will be asked to plug an expanding hole in the First Amendment that MacKinnon persuaded the Court to overlook in 1986. Women's rights organizations have taken different positions in the case about whether sexual harassment should be judged from the perspective of the "reasonable woman," the "reasonable person" or the actual victim. In choosing among the various alternatives, Ginsburg will have the chance to reaffirm the view she expressed in New Delhi in 1988: "Generalizations about the way women or men are ... cannot guide me reliably in making decisions about particular individuals."

For all its resonance, in the end, Ginsburg's maxim, "better bitch than mouse," does not quite do justice to her vision of sex equality. She has never argued that women should be forced to act like beasts, or that men should be discouraged from acting like mice. On the contrary, her ambition as an advocate was to purge the law of sweeping stereotypes that prevent individuals, women and men, from following their inclinations rather than submitting to conventional gender roles. Perhaps her work on the Court will encourage feminists who have lost faith in her vision to think again. •

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BOOKS & The Arts

Stanley Kauffmann on Films

Crooks and Commitment

The lesson of **The Firm** (Paramount) is clear: before accepting an offer from a law firm, no matter how successful the firm or splendid the offer, the law school graduate must find out whether the firm has professional killers on its payroll. If only Tom Cruise had been smart enough to find that out beforehand, he would never have got into such a mess.

John Grisham's best-seller, unread by me, is here adapted by David Rabe, Robert Towne and David Rayfiel, all accomplished writers. But the resulting screenplay looks less like a collaboration than a struggle. The film ends with a three-way contest between a Mafia group, the FBI and our Tom, and it's as if each of the three writers had been assigned to one of the three participants with orders to advance his party's cause. As the plot thickened, I wasn't quite sure who was doing what to whom, but I certainly was aware of trimming and pasting and quick filling up of fissures.

An honors graduate of Harvard Law, Cruise chooses, from among many offers, a post with a Memphis firm. He and his wife, Jeanne Tripplehorn, move there and are warmly received. She resumes her profession, schoolteaching, and he plunges into a welter of work, which takes him to the Cayman Islands and into labyrinthine recesses of greed and crime. Eventually, Cruise has to choose between accepting the behavior of this crooked firm and becoming a well-paid Mafia accomplice or—or what? He has to forge his own alternative.

The excesses of the script—I daresay there are crooked law firms in this country, but I daren't say that they employ their own hit men—are smoothed, even made somewhat involving, by, first of all, Cruise. He is a bolt of likable energy, full of the zest for which we are supposed to scoff at Joe Hero, who tacitly acknowledges this attitude and goes on to win us anyway. As actor, he does what he can with the part, which is simply to provide convincing responses when a series of familiar plot buttons are pushed.

Tripplehorn, who is the most arithmetically named film actress since Helen Twelvetrees, does her pleasant best to give individuality and texture to a stooge part—the wife whose husband is never home on time for dinner, and so forth. Gene Hackman, Mr. Credible, has an insufficiently developed role as a partner of the firm who teeters on the edge of self-disgust. Paul Sorvino, unbilled, makes a brief monolithic appearance as a Mafia don. Holly Hunter gives us another feisty take on her garrulous Southern ninny who is smarter than she sounds. She is the secretary of a private eye, played by Gary Busey, who has one of the two best parts in the picture. Busey packs it to the brim with flashy, humorous self-display. The other meaty part is Cruise's jailbird brother, played by David Strathairn with a lot of time for reflection packed behind every word.

The director was Sydney Pollack, who knows a lot about acting and directing but is less certain about story construction. If he brought off *Jeremiah Johnson* and *Tootsie*, he floundered with *The Electric Horseman* and *Havana*. *The Firm* hangs somewhere in the middle in terms of cogency, but it's made by a man of muscular, driving talent, whose best films—I hope—lie ahead.

Dr. Bethune (Tara) is an oddity. The screenplay was written in 1942 and sold to Darryl Zanuck, but production began only in 1987—in Canadian hands, with co-financing from China and France. It was finished in 1988 and now appears here.

Norman Bethune (1899-1939), according to the Cambridge Biographical Dictionary, was a Canadian surgeon who served in the First World War. Subsequently he became tubercular, and thus became especially interested in chest surgery. Politically radical, he joined the Republican forces in Spain as a field surgeon, then went to China where he served with Mao's Eighth Route Army against the Japanese. He died of septicaemia acquired from a wounded soldier and is still a revered figure in China.

This explains, partly, China's participation in the film, further shown in other touches. Mao Zedong is portrayed as a gentle, quietly heroic figure. Dr. Bethune gives the clenched fist salute when asked about his political beliefs. One of the closing quotations is from Chairman Mao, in which he says something about a just society being one in which unarmed civilians are not shot. (The people in Tiananmen Square would have agreed.)

All of the above sounds like the mak-

FILMS WORTH SEEING

Guilty As Sin. *Strong performances—by Rebecca De Mornay as a defense attorney and by Don Johnson as her client accused of murder—give this twisty thriller some texture. Sidney Lumet directs forcefully. (Reviewed 7/5/93)* **Menace II Society.** *Two 20-year-old brothers, Allen and Albert Hughes, co-direct some familiar material about dangerous lives in Watts—and charge it with fresh, dreadful validity. (7/5/93)* **Much Ado About Nothing.** *People are beginning to compare the number of times they've seen it. For me, I'm ashamed to say, only twice—so far. (5/10/93)* **The Music of Chance.** *Philip Haas understands Paul Auster's novel perfectly in cinematic terms. James Spader and Mandy Patinkin play the two men who pay an eerie price for losing a poker game. (6/21/93)* **—SK**

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ings of a laborious panegyric, but *Dr. Bethune* is considerably better than that because some gifted people worked on it. Philip Borsos, still remembered gratefully for *The Grey Fox* (1982), directed with affectionate skill. Donald Sutherland plays Dr. Bethune. Sutherland is, in a sense, a dangerous actor: like Gene Hackman, every word that comes from his mouth sounds authentic, every gesture seems part of the man he is now inhabiting. Here, seemingly without effort, he can bend us to his will—because he isn't a propagandist mouther, he is an actor. Well, if this has its dangers, it also has its rewards: we know more about the quixotic Bethune because of Sutherland.

Helen Mirren, looking and sounding lovely, plays his wife. Ronald Pickup, a deft English actor, plays one of Bethune's friends. The long-absent Anouk Aimée is presumably France's gift to this enterprise and is welcome. She plays one of the busy Bethune's many amours. Mike Molloy did the cinematography in China, and Raoul Coutard, stalwart of the New Wave and another French contribution, did all the rest, in Canada, Spain and elsewhere. Both men give the film subtle color and unhackneyed composition.

After the opening in China, Ted Allan's screenplay tries to fill in the so-called back story—prior experiences in Canada and Spain and at the Trudeau Clinic in New York—that led to Bethune's joining the Eighth Army. Possibly it's the editing as much as the script, but the first reel or so has a somewhat jumbled feeling. Still, with the help of some appealing Chinese actors, as well as the others just mentioned, Borsos makes the picture live. Streaked with the irony of today's perspectives on its political issues, *Dr. Bethune* is a flavorsome portrait of a committed humanitarian eccentric. •

The Scenes of the Self

BY RICHARD POIRIER

City Poet: The Life and Times of Frank O'Hara by Brad Gooch

(Knopf, 532 pp., $30)

In 1966, on the shore of Fire Island Pines, Frank O'Hara, 40, was struck down and mortally injured by a beach buggy. It was two o'clock on an August morning, and he had been cruising and carousing with some friends. Five years later there appeared the now long out-of-print *Collected Poems*. Covering 500 large and closely packed pages, the poetry is at times brilliantly accomplished and challenging. But very little of it has received the kind of close reading that it deserves, and such a reading is not to be found in Brad Gooch's book. This is a pity, because the poems tell us something essential about what O'Hara was like, beyond the vast store of gossip and anecdote that abounds in this first biography of the poet.

O'Hara's work also includes a number of still-important essays on contemporary American painting, which are no less slighted by Gooch, and some efforts at filmmaking and playwriting. In these writings, as in the poetry and the letters, O'Hara emerges as someone almost evangelically convinced by the Manhattan of the '50s and early '60s that America has become the most culturally exciting place in the world. His enthusiasms for European styles, of which a great deal has been made, seem to me to have been more decorative than real, as when, in a letter to his friend Kenneth Koch in 1956, he admitted that "I'd rather be dead than not have France around me like a rhinestone dog collar." Things French were rapidly assimilated into the New York blend of popular culture and high culture, but they were to be further mixed, without O'Hara and his associates being altogether aware of it, with American traditions that go back to Emerson. Those native traditions anticipated the need, if not the doctrine, of surrealism, and foreshadowed other avant-garde developments like "action painting," whose practitioners assumed, along with O'Hara, that the exemplary characteristics of a work of art are the traces of performative energy coursing through it, not its thematic significances.

O'Hara's intellectual audacity, his volubility and his immense social vigor were all in the service of a conviction, expressed in a poem of 1951, that "New York is everywhere like Paris!" The Cedar, a tavern for painters where O'Hara was a mascot to the likes of the De Koonings, Pollock and Michael Goldberg; the more ecumenical San Remo, mostly a haunt for writers, along with a contingent of gays who were not much welcomed at the Cedar; the all-night or all-weekend parties in the Village and in the Hamptons; the endless panel discussions and readings (at one of which Kerouac shouted at O'Hara, "You're ruining American poetry, O'Hara," to which the quick-witted poet immediately replied, "That's more than you ever did for it"): all of these places and occasions were as essential to artistic and intellectual bonding in New York as were such uptown institutions as Balanchine's New York City Ballet, which O'Hara frequented with his good friend Edwin Denby, that most supple of dance critics and essayists, or the Museum of Modern Art, where in 1951 O'Hara found work selling postcards at the front desk and before long became a curator who helped select contemporary American paintings for exhibition in Europe.

O'Hara thrived on coteries. He was the Demosthenes of telephone. He liked to triangulate one-to-one relationships so as to involve some of his many close women friends with his even more numerous male cohorts, thereby leaving him free to move on to someone entirely new. Over the years he found his way into bed, often drunkenly, with some of the women to whom he felt especially close, such as Patsy Southgate, a writer who was married to Michael Goldberg. But these encounters never got past affectionate petting, and according to Joseph LeSueur, his roommate of nine years, "The impotence had nothing to do with heterosexuality. It was pervasive. It also had to do with homosexuality. He had a difficult time with an erection." Like many of his long poems, O'Hara's sexual infatuations with men, who were often heterosexual, seldom found a satisfying way to conclude themselves.

Gooch is best about O'Hara's life before New York—about his childhood, his high school, his service in the Navy during World War II, which eventually took him to the Pacific, his years at Harvard on the G.I. Bill, where he was part of that unprecedented concentration of talent that filled American colleges and universities between 1946 and 1950. O'Hara was the first of three children born to a prosperous and cultivated Irish family long settled in farming businesses in western Massachusetts. He became a good swimmer and a good rider; and

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later in life he reported to Larry Rivers that he had his first sexual experience, when he was 16, with a boy who took care of the family horses. (This is probably "the stable boy who gave me the diamonds" in the poem "Commercial Variations" of 1952.) But the young O'Hara seems to have especially enjoyed sitting on the porch discussing books and musical scores with his doting aunts.

O'Hara's first aspiration was to be a pianist and a composer, and his playing became accomplished enough to please Robert Fizdale (who was, for a brief spell, also O'Hara's lover). In high school he spread his enthusiasms for Toscanini, for Lily Pons and for almost any movie, especially if it featured Marlene Dietrich. Though he seemed aloof, as he later did in the service and at Harvard (where he met his lifelong friends John Ashbery and Kenneth Koch), he was only on the lookout for kindred spirits, one of whom, Elsa Ekblau, the daughter of a professor at nearby Clark University, dressed only in black and lined her lips with purple lipstick. Along with his redoubtable aunts, Elsa was among the first of a succession of women in O'Hara's life who displayed great independence of spirit and assertive style. Some of the others included Bunny Lang, a colorful figure at the Poet's Theater that O'Hara helped to establish in Cambridge, whose early death plagued his memory for years, as well as the painters Jane Freilicher and Grace Hartigan, both of whom figure importantly in his poetry, as does Southgate.

FRANK O'HARA BY VINT LAWRENCE FOR THE NEW REPUBLIC

O'Hara in New York is the story of an emotionally reckless man, wasteful of affection as well as anger. He was endlessly generous in his support of friends but had a habit, especially when drunk, of brutally taking his friends apart late in the evening only to try to put them back together again later on the telephone. In his short life he created a large body of work, some part of which will always matter, and he managed, up to his death (and thereafter), to keep the love of any number of discriminating, lively and talented people. It was a good life, on the whole. Gooch is to be commended for getting it onto the page without presumption—he never calls his subject "Frank"—and with a minimum of constraining moral or psychological intrusion.

Yet Gooch seems unwilling or unable to discover much about the sadder side of O'Hara's effervescence. A man of O'Hara's conflicted erotic disposition could never reach the kind of fulfillment that Gooch novelistically celebrates in a late chapter called "Love," devoted to O'Hara's affair of some eighteen months (not the two years Gooch gives to it elsewhere in his book) with a 19-year-old ballet dancer named Vincent Warren. And Gooch does no justice to O'Hara's work. He does not read the poems as inquisitively as he should. In O'Hara's case, this amounts not only to a failure of criticism, but also to a failure of biography. For in the best of his poems O'Hara's complications of feeling are much the same as the complications that frustrated his chances of finding more than fleeting satisfaction in any of his love affairs. In his poems, as in his romantic attachments, there is a fateful contradiction between the eager reachings out, the intense solicitation of passing sights, sounds and people, and the hints of a despairing pensiveness about where he was heading. O'Hara had a very affecting need to feel enchanted, to believe that there must be something magical or mysterious lurking within the immediate offerings of daily experience, even though he could not get to it.

Being of the same generation as O'Hara, having much the same Irish-Catholic background, and having been in the service at roughly the same time and having been at Harvard just after he left, I was not surprised to discover that he, too, experienced an early and peculiar shock of recognition when reading *A Portrait of the Artist as a Young Man*. The appeal of the book to someone like O'Hara cannot only have been, as Gooch would have it, that it told the story of a young Irish-Catholic renegade who turned against his Jesuit training in pursuit of the religion of High Art. Much more powerfully for any gay Irish-Catholic teenager, Joyce's novel, which was published at the beginning of an earlier world war, is a story of how the Church can produce in late adolescence a tortuous guilt about sexual desires and fantasies.

Reading the book again in the Navy in 1944, O'Hara wrote to his parents that "in some places Joyce's character is uncannily like me." By then Catholic boys were no longer feeling anything like Stephen Dedalus's guilt about wanting girls, but a Catholic boy secretly wanting sex with other boys could powerfully identify with the hero's plight, as O'Hara did. To escape the guilt, and to retaliate for its imposition, the fledgling Catholic artist in Joyce's novel finds himself turning the trappings and the devices of the Church into artistic properties, so that, as I read them, Stephen's pretentiously worded theories of art became a grotesque mixture of the theology of Aquinas and the aestheticism of Pater. "To burn always with this hard, gemlike flame," as Pater recommended, makes hellfire itself into a stage device.

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"A sexual bliss inscribe upon the page of whatever energy I burn for art": that is O'Hara's Dedalean-Paterean request, in his "Ode on Causality" in 1958. He was able to put his Catholicism behind him more decisively than Stephen Dedalus ever did, but his lifelong admiration for the figure in the novel points to the interplay within his own work between an aesthete's ideal of continuous responsiveness and an intellectual's suspicion about the products of art. That suspicion was a part not only of his Catholic inheritance, but also of his American inheritance. And it broaches the kind of literary inquiry that Gooch avoids, which might have opened the way toward important biographical speculations.

The poems tell us a great deal about O'Hara's day-to-day experience, but in a manner contrived not to tell us much of anything about who he really is. In their local details, the poems are everywhere autobiographical. But as with Whitman, referred to in the opening line of "Ode: Salute to the French Negro Poets" as "my great predecessor," O'Hara's verse catalogs of the things, persons and places that impressed themselves upon his attention are not intended to be confessional. In "Meditations in an Emergency," O'Hara is Whitman become a little soigné: "It's not that I'm curious. On the contrary, I'm bored but it's my duty to be attentive. I am needed by things as the sky must be above the earth. And lately, so great has *their* anxiety become, I can spare myself little sleep." Along with the occasional Russian poet, such as Pasternak, or the occasional French poet, such as Rimbaud, the announced heroes of O'Hara's poetry were Whitman, Crane and Williams, who were, in O'Hara's opinions "of the American poets" in his mock-manifesto "Personism," the only ones who "are better than the movies."

But finally his citations of "things" are different from theirs, far less publicly recognizable, more private and more obscure even than Crane. In "Mayakovsky"—a poem whose four parts were quite haphazardly put together from a pile of manuscripts on O'Hara's desk during a visit from James Schuyler, who then gave the poem its title because he saw on the same desk a well-thumbed copy of Mayakovsky's poems—we come abruptly on the lines

> That's funny! there's blood on my chest
> oh yes, I've been carrying bricks
> what a funny place to rupture!
> and now it is raining on the ailanthus.

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In a note to the poem in *Collected Poems*, Donald Allen quotes a letter from Schuyler saying that "the bricks he was carrying were the supports of a John Ashbery bookcase, which he and Fairfield [Porter] helped John with." O'Hara loves to be casually arcane in this fashion, as if talking not to a reader but to some close intimate ("oh yes") of the unidentified people involved.

I suppose the editor's note does assist us with a minor puzzle; and yet this little passage is testimony to the peculiar nature of O'Hara's writing, in that finally the annotation does *not* help us understand the poem, only some isolated words in it. The reader of this poem comes to notice that his attention is being drawn not to this or that particular thing, but to O'Hara's rapid movement away from it and his swift transit to something to which it bears no discernible relation at all: "and now it is raining on the ailanthus." Things like "bricks" are not allowed to initiate, or to become a part of, any narrative or metaphoric development. Coherence among these things derives only from the variable ranges and inflections of the voice that is always moving past one of them and on to another.

Thus, in what is probably O'Hara's most splendid achievement, the poem dated 1956 called "In Memory of My Feelings," it is probably worth knowing that in the lines "One of me is standing in the waves, an ocean bather, / or I am naked with a plate of devils at my hip," O'Hara refers first to Matisse's *Bathers by a River* and then to a painting by his friend Grace Hartigan called *Frank O'Hara and the Demons*. Still, of greater importance to any grasp of O'Hara's presence in the poem is his repeated use, here and elsewhere, of the phrase "one of me," meaning that another is on the way, and his use of that little word "or," with its suggestion that neither of the two allusions matters more than the other. What keeps the poem going, what keeps O'Hara going as a poet (and as an aspiring lover), is the need to extricate himself from any figure with whom he has just been involved. He does not extend one image into another, he substitutes one for another; and he is especially apt to do this when both images are derived from already existing works of art.

Biographers of poets are seldom any help with their poetry, but Gooch can be altogether a hindrance, as in such summary observations: "If the poets of the New York School could be grouped together because they wrote in language that was illogical and often meaningless, O'Hara's particular tone was surrealist, Ashbery's was philosophical, and Koch's was comic." No poet or reader of poetry has ever been served by this kind of boilerplate. A sure way to diminish O'Hara as a poet is to call him, as many of his interpreters like to do, a surrealist, or a poet of the New York School. (The latter label was concocted in 1961 by John Bernard Myers, a friend to the poets in question and an art dealer at the Tibor de Nagy Gallery.)

O'Hara's poetry and his theories of art are obsessively shaped, rather, by a concern found everywhere in the work of the great American predecessors whom he read and admired, Emerson and Whitman, and in their successors Crane, Stevens and (of particular interest to O'Hara) Gertrude Stein. These writers have much in common, including a high degree of communicated suspicion that they are being betrayed even by the language that they use; and they share another suspicion, too, that variations in the language that they experimentally try to bring about are themselves merely arbitrary and impositional. To enjoy such writing is to cope with its difficulty, and not simply to translate it into clarity. The difficulty is a sign of the poet's fascination with his or her medium.

These poets are saying, in effect, that while the language available to you has already shaped and determined, to some degree, your experiences all day long, even before you write about them or read about them, your use of that language in writing or reading, no matter how innovative or how much of a challenge to the existing order of things, becomes still another instance of the possibility that composition flattens, deadens or makes into a monument the very things it is meant to represent. And so the writer, in supposing or pretending that this is true, has found a good excuse to keep on writing, to forever begin to begin again, as Stein recommends.

From the opening of a short poem called "Poetry" in 1951—"The only way to be quiet / is to be quick, so I scare / you clumsily, or surprise / you with a stab"— to the lengthy "In Memory of My Feelings" five years later, whose first lines are "My quietness has a man in it, he is transparent / and he carries me quietly, like a gondola, through the streets," O'Hara, like his American forebears, proposes to save the idea of a free-floating self from entrapment in the artifact of language and from other historical and cultural inheritances. He talks of transparency, indulges in spontaneous lurches away from the direction just laid down by his own phrases and writes favorably about his own "quickness" or mobility: "my force is in mobility it's said," according to "Poem (Now it is the 27th)."

When now and then he seems to pause in the middle of a poem to let us settle on something that he has just written, it is usually when he has just made a joke, sometimes in the manner of S.J. Perelman ("the sound / is that of a bulldozer in heat stuck in the mud / where a lilac still scrawnily blooms and cries out 'Walt!'"), or Milton Berle ("you were made in the image of God / I was not. I was made in the image of a sissy truck driver"), or a latter-day Oscar Wilde ("I have discovered that beneath the albatross there is a goose smiling") or Noël Coward imagining himself as a 1940s American teenager ("from hours of dusk in bushes playing tag, being called in, walking on the porch and crying bitterly because it wasn't a veranda"). The brilliance of O'Hara's wit, even as it is meant to suspend us for a moment in admiration, is itself a reminder of his outrageousness, of his impatience with convention; and it is meant as evidence that he has not become trapped within himself. He is no Hamlet, as we are assured by his joking echo of the play in "For the Chinese New Year & for Bill Berkson": "oh oh god how I'd love to dream let alone sleep."

In the same poem, O'Hara says that "the strange career of a personality begins at five and ends / forty minutes later in a fog ..." In an interview with Edward Lucie-Smith in 1965, he speaks derisively of "the confessional manner" of Robert Lowell, alleging that it lets Lowell "get away with things that are really just plain bad but you're supposed to be upset because he's supposed to be so upset." By contrast, O'Hara has already asked us to believe, in "Post the Lake Poets Ballad," that he "has no more self-pity than Gertrude / Stein before Lucey [sic] Church," and that

> I think of myself
> as a cheerful type who pretends to
> be hurt to get a little depth into
> things that interest me.

It is not because "things" already have "depth" that they interest him. When they interest him, rather, he will con his audience into believing that they are deep. Whenever a poet so openly admits that he is indulging in a hoax, he is usually positioning himself for another hoax—the claim that there are no sincerities whatever behind what he is doing, nothing to be looked for except immediacy. But what is immediacy, as O'Hara himself sometimes wonders, if not simply an idea, a pretense, a guise, a

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fiction out of which the poet manages to generate more poetry? In "My Heart," he says that

> I'd have the immediacy of a bad movie, not just a sleeper, but also the big, overproduced first-run kind. I want to be at least as alive as the vulgar. And if some afficionado of my mess says "That's not like Frank!," all to the good!

As O'Hara knows, his "immediacy" is not only a fabrication, it is an "overproduced" one, and it is inferentially compared in "For the Chinese New Year & for Bill Berkson" to the flowers in the glass flower collection at Harvard: "it's a strange curse my 'generation' has we're all / like the flowers in the Agassiz Museum perpetually ardent." This is a resonant, Keatsian figure. It suggests that the reason O'Hara so much wants a life of immediacy is that he feels so irrevocably cut off from it: he is like a replica of what was once natural and alive. Glass flowers cannot reproduce themselves; they are outside the links of creation, perpetually wishing that the links could be restored. In this light, his infatuations throughout his life with straight painters such as Larry Rivers or Michael Goldberg, or with straight poets such as Bill Berkson and scores of others, can be understood as the expression, I think, of his desire to have been straight himself. And his poetic fascination with immediacy is part of a corresponding wish to live absolutely in the present, since only death hovers in the past, with dead family and dead friends, and since at his own death he will leave no biological heir.

O'Hara's frequent references to death in his poetry—"I historically / belong to the enormous bliss of American death," is the Whitmanian ending of his poem "Rhapsody"—are seldom so complexly motivated as in his reference to being "like the flowers in the Agassiz Museum." Still, that complexity needs to be kept in mind when reading any of his poems, and when assessing his long and recurrent mourning for friends who have died, especially Bunny Lang. He has a painful but quickening awareness that his poetic creativity is partly a compensation for what he knows he cannot otherwise give to life. The immediacy of responsiveness that he likes to register in his poetry is a reprieve from the deaths in his life and the death that awaits him, a gift from the city, with its buzz of happenings and accidental sightings.

"Everything / suddenly honks: it is 12:40 of / a Thursday," he remarks in "A Step Away from Them." By the title he means that he is only one step away from loved ones now dead: "First / Bunny died, then John Latouche, / then Jackson Pollock. But is the / earth as full as life was full, of them?" While the poem ends unfortunately with the assurance that his heart is all the while in his pocket, where he carries a volume of Pierre Reverdy's poems, the poem itself is determined to celebrate an alternative to death not in any works of art, but in the sheer fact of the poet's being, at that moment, alive to random sights and sounds: "hum-colored cabs," "yellow helmets," "bargains in wrist watches," "neon in daylight," "several Puerto / Ricans on the avenue today, which / makes it beautiful and warm."

The splurge of the world's random creativity absorbs the poet and his poetry, but it does not itself depend on them. And the recognition of this by Emerson or Whitman or Stein generates yet a further recognition, more happily assented to by Stein than by the others, that the finished works of an artist are expendable and that their value lies chiefly in the performative, even barbaric energies that produced them. The particular poet and the particular textual evidences of poetic activity are themselves inclined toward death or, in an image favored by O'Hara, toward "statuary." The acknowledgment of this by poets or artists can have the effect of releasing them into celebrations of performative power itself, into moment-by-moment exercises of production. But it can also understandably lead to moments of despair, as in Emerson's "Experience," or as in Whitman's "As I Ebb'd with the Ocean of Life," a poem especially predictive of O'Hara, where Whitman admits to being

> Oppress'd with myself that I have dared to open my mouth,
> Aware now that amid all that blab whose echoes recoil upon me I have not once had the least idea who or what I am,
> But that before all my arrogant poems the real Me stands yet untouch'd, untold, altogether unreach'd,
> Withdrawn far, mocking me with mock-congratulatory signs and bows,
> With peals of distant ironical laughter at every word I have written,
> Pointing in silence to these songs, and then to the sand beneath.

Except for its "ironical laughter," Whitman's "real Me" is associated with silence, disdainful of "all that blab" that is Whitman's writing. O'Hara's equivalent figure is "my quietness," which we have already heard about in the opening of "In Memory of My Feelings," where he says that "My quietness has a man in it, he is transparent / and he carries me quietly, like a gondola, through the

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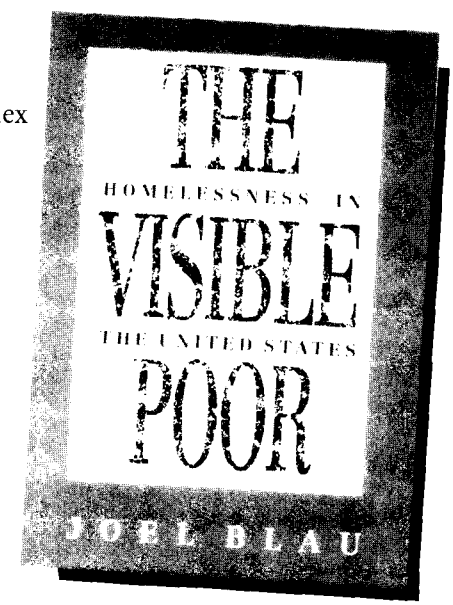

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streets." And just as Whitman's "real Me" is said to be "Both in and out of the game and watching and wondering at it," monitoring his other selves (his "I" or "me self" or "my soul"), so O'Hara imagines that there are "a number of naked selves" who are responsible to his "quietness":

> My quietness has a number of naked selves,
> so many pistols I have borrowed to protect
> myselves
> from creatures who too readily recognize
> my weapons
> and have murder in their heart!

In O'Hara as much as in Whitman, none of the gregarious, loving, cruising selves who write and talk and befriend multitudes—"there are at least sixty people in New York who thought Frank O'Hara was their best friend," said Larry Rivers at his best friend's grave—ever expresses the "real Me." In fact, the "real Me" or "me myself" feels endangered by these others, who in O'Hara are called "creatures." Whitman similarly complains that "My lovers suffocate me! / Crowding my lips, and thick in the pores of my skin, / Jostling me through the streets and public halls.... Calling my name from flowerbeds or vines or tangled underbrush." Far from being imagined as a revelation of a true self, poetry is taken to be a projection of false selves. The dilemma for both poets in such an imagined situation is that, paradoxically, the only way to protect the "real Me" is by a continuation of the volubility that hides it, since to fall silent would be to give finality to what has already been characterized as "blab" or, in O'Hara's variant, as a "ruse."

"In Memory of My Feelings" is self-consciously brought to an end with an expressed fear that the energies that have gone into this and other poems, like the energies that have gone into his love affairs, are deadened when any particular embodiment of them is treated as final. "I have forgotten my loves," he complains, because "against my will / against my love" they have "become art." He imagines himself the dupe of his own compositional successes, which include the very poem he is in the process of giving us:

> and I have lost what is always and every-
> where
> present, the scene of my selves, the occa-
> sion of these ruses,
> which I myself and singly must now kill
> and save the serpent in their midst.

The poem must abruptly be cut off if the spirit coursing through it is not to be trapped there. This, I take it, is what he intends to mean by his recurrent use of the figure of "the serpent," which is also meant as a sign of O'Hara's allegiance to what Blake calls "the Devil's party." His poetic movements, in sum, are best seen as movements of insinuating resistance to the created order of things.

"In Memory of My Feelings" is the best of O'Hara's many long poems, touching upon perplexities in him that twist and turn his verse in extraordinarily productive directions. The poem draws him inexorably toward recognitions that he often tries to evade by means of an impenetrability that sometimes passes for surrealism when it is merely cute, by razzle-dazzle cleverness and by prolixity. Another exceptional and beautiful short poem, "To the Harbormaster," written in 1954, two years before "In Memory," has been largely ignored by critics, though it is admired by fellow poets such as Richard Howard, who quotes most of it in *Alone in America*, his study of American poetry since 1950, and by John Ashbery, who broke down while reading it at O'Hara's funeral. As does the longer poem, "To the Harbormaster" seems to be turned away from the reader, as if intent on finding its way privately toward significances that the poet only intuits as he goes along.

Here, more powerfully than in any of his poems, O'Hara discovers that he yearns for something that all the while he denies himself, something on the far side of his "ruses," or what on this occasion he calls "the forms of my vanity":

> I wanted to be sure to reach you;
> though my ship was on the way it got
> caught
> in some moorings. I am always tying up
> and then deciding to depart. In storms and
> at sunset, with the metallic coils of the tide
> around my fathomless arms, I am unable
> to understand the forms of my vanity
> or I am hard alee with my Polish rudder
> in my hand and the sun sinking. To
> you I offer my hull and the tattered
> cordage
> of my will. The terrible channels where
> the wind drives me against the brown lips
> of the reeds are not all behind me. Yet
> I trust the sanity of my vessel; and
> *if it sinks, it may well be in answer*
> to the reasoning of the eternal voices,
> the waves which have kept me from
> reaching you.

Surely this asks to be read as a love poem; and a note by Donald Allen in the *Collected Poems* says that O'Hara told him in 1959 that the poem, which was written five years earlier, was "about Larry Rivers." It is not clear to me just what O'Hara could have meant by "about": His own love for Rivers? Rivers's own aspirations in love? To be "about Rivers" is already to be "about" the elusiveness evoked in the lovely Steinean ending of a 1953 poem called "Larry": "So we're great friends constant and true / to not being sure of your being sure / of my being sure of your being sure of you."

Be that as it may, "To the Harbormaster" is among a large number of poems that Gooch simply decides to forget when he alleges that Vincent Warren, whose affair with O'Hara began in 1959, was "the first muse to inspire O'Hara to openly gay love poems." I don't wish to deprive Gooch of his simple assumption that when O'Hara finally did link up for a while with an openly gay man, even though they never lived under the same roof, he must have been more in love than he could ever have been in his liaisons with men who were predominantly straight. But Gooch cannot be allowed his even simpler supposition that to be inspired to write love poems that are "openly gay" requires a recipient similarly designated.

As the dates will already have indicated, long before O'Hara even met Warren he had written some beautiful love poems to Rivers, who, he charmingly complains in 1953 in "Round Robin," "is moved by my smile like a public accusation / of homosexuality against the Great Wall of China"; and he wrote several more love poems during his affair with Warren to the emphatically heterosexual Bill Berkson. Along the way there are numerous and graphic allusions to homosexual sex in early poems such as "Homosexuality," which includes an informal gay men's guide to cruising in Manhattan in 1954, beginning with subway latrines: "14th street is drunken and credulous, / 53rd tries to tremble but is too at rest. The good / love a park and the inept a railway station ..."

The ambiguity of what O'Hara might have meant by saying to Allen that "To the Harbormaster" is "about Larry Rivers" is lodged in the language of the poem itself, and in brilliantly consequential ways. Thus, the word "you" as introduced in the opening line, "I wanted to be sure to reach you," may well refer to Rivers, making him the harbormaster who is already securely at the place that O'Hara is striving to reach. Yet it is evident that Rivers is also being referred to in the lines "or I am hard alee with my Polish rudder / in my hand and the sun sinking." (Rivers was born of Russian-Polish-Jewish parents, and, as can be heard in some lines of "Walking with Larry Rivers," he used to delight O'Hara by speaking in his parents' heavily accented English.)

It can be inferred, then, that Rivers represents, in one sense, the goal of

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O'Hara's efforts, and in another sense he represents a detour. "My Polish rudder" is a synecdoche for Rivers, for his phallus, which steers O'Hara off course into a merely temporary haven, thus thwarting his attempts to battle the storm as he tries to reach the Rivers who is the harbormaster. A roughly similar terminological complication of roles occurs in the fifth section of "Song of Myself," where Whitman describes intercourse between "my Soul" and "the other I am" in terms of sexual intercourse between himself and another man:

> I mind how we lay in June, such a transparent summer morning;
> You settled your head athwart my hips and gently turned over upon me,
> And parted the shirt from my bosom-bone, and plunged your tongue to my bare-stript heart,
> And reached till you felt my beard, and reached till you held my feet.

The meditative nobility of O'Hara's poem, and its sadness, is a result of his chosen syntactical confusions, which seem to compel him to accept his fate, even as he still contends with it. The expression of O'Hara's desires cheats him, in life and in his poetry, of anything commensurate with them. The "you" that he cannot reach is finally himself.

The literary allusiveness in O'Hara's poetry is no less pervasive than the allusiveness to people and places in New York; and if the effect of the latter is to induce in the reader an outsider's yearning to be initiated into some exclusive circle, the effect of the former is to demonstrate that O'Hara is intent on making his way into the far more exalted and historically select company of great poets. Anyone who can refer to Whitman as "my great predecessor" has convinced himself that his poetic ambitions, even when it comes to representing himself in love, are not local or social, but universal and cultural. With that other "city poet," the Whitman of "Crossing Brooklyn Ferry," O'Hara aspires to be alive "A hundred years hence, and ever so many hundred years hence," not only as a trace on the Manhattan scene, but also as a voice in American poetry. As a first step, however, he had to establish that his days alive in America were as glamorous as he believed them to be. This was the point of a letter he wrote in August 1950 to a younger writer who had sent him some of his work:

> I can see certain tendencies in you which we all have to get rid of. With me it was Ronald Firbank, with you it looks a bit like the divine Oscar (have you read that PRETTY poetry!). We Americans are all more lonely for glamour than for each other, and until we learn to find it in each other and around us, that is to say in something we can comprehend, relax with and *use*, glamour is just an elder brother's cast off exoticism.

O'Hara's literary ambitions were considerable, and the assurance with which they were expressed, even at so early an age, was owed to the similar accents that he heard in the American writers from whom he had descended. We are not easily allowed by O'Hara's writings, anymore than by the writings of his literary forefathers, to distinguish his ambitions for himself from his ambitions for America.

RICHARD POIRIER is the author most recently of *Poetry and Pragmatism* (Harvard University Press).

A Tale of Two Cities

BY NATHAN GLAZER

American Apartheid: Segregation and the Making of the Underclass by Douglas S. Massey and Nancy A. Denton

(Harvard University Press, 292 pp., $29.95)

"During the 1970s and 1980s," Douglas S. Massey and Nancy A. Denton tell us, "a word disappeared from the American vocabulary." They are referring to the vocabulary of race relations, race problems and race policies. The word that disappeared, they assert, is "segregation." This, of course, is somewhat hyperbolic; but still they have a point. In the argument over the condition of black Americans, the causes for that condition and the policies that might improve it, the residential segregation of blacks seems to have lost its salience as a public issue, certainly compared with the issues of job opportunity, educational achievement and political representation.

In the early 1960s, after the election of John F. Kennedy, liberals awaited with some frustration the "stroke of the pen" that he had promised during the campaign would eliminate discrimination in federally supported housing programs—a promise that, depending on one's definition of federal support, could cover a very large share of the housing market. Kennedy delayed, but eventually he signed a rather modest order in 1962. In the 1960s powerful civil rights acts declared discrimination in public facilities, employment, federal programs and public education to be illegal, and liberals waited for the act that would put a capstone on the edifice of civil rights laws: a ban on housing discrimination.

In 1968 a major civil rights law banned discrimination in most housing sales and rentals. At that time residential segregation was seen as one of the key indignities imposed on blacks. Massey and Denton argue that despite this important legislation, remarkably little has happened to change the pattern of black residential segregation, and that segregation, the old problem, is at the root of the mass of problems afflicting the poor black populations that we now have in mind when we use the term "underclass." If segregation is not attacked with force and effectiveness, these difficulties, which have become dramatically worse in the past two decades, will persist.

The research on which this thesis draws has been substantially carried out by the authors themselves. And they support their case also by reference to the vast body of work done over the last quarter century on black and underclass problems. Their book, in the meticulousness of its research and the density of its argument, stands well apart from even the best-argued and mostly amply documented books by journalists on racial problems. Massey and Denton hope to influence high-level policymakers and their advisers to take up the issue of residential segregation again. "For the walls of the ghetto to be breached at this point," they write, "will require an unprecedented commitment by the public and a fundamental change in leadership at the highest levels."

Of course nothing like that will happen. But that should not dissuade us from trying to understand why, twenty-five years after the passage of the last of the great civil rights acts of the 1960s, blacks remain almost as segregated in American cities as they were in 1968. This represents perhaps the greatest fail-

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ure in the national effort to equalize the condition of American blacks. Compared with the substantial changes in employment and political representation and education—the growth of the black middle class, the great increase in black college attendance, the surge in the number of black mayors, state legislators, members of Congress—the indices of residential segregation show almost no change.

One main index used by social scientists to measure black-white segregation shows very little change over the last twenty years in the Northern metropolitan areas with the largest black populations. The index of concentration averaged 84.5 in 1979, 80.1 in 1980 and 77.8 in 1990. (Owing to historical factors that in no way necessarily indicate greater tolerance, the measures were somewhat lower in the South—75.3 in 1970, dropping to 66.5 in 1990.) This figure tells us what percentage of blacks would have to move for blacks to be distributed throughout a metropolitan area in the same way that the white population is distributed. If there was no concentration of the black population at all, the index would be zero.

To indicate how remarkably high these figures are, Massey and Denton point out that white ethnic immigrant populations have never been this concentrated, even at the peak of European immigration. We all know of such neighborhoods as the Jewish Lower East Side or the Italian Greenwich Village, which seemed to contain only Jews or Italians. But Massey and Denton argue that for immigrant white ethnic populations, the segregation measure was much lower. In any case, immigrant ethnic neighborhoods did not survive in their highly concentrated form for more than a few decades. Harlem or Bedford-Stuyvesant or the South Side of Chicago are not contemporary equivalents of older ethnic neighborhoods. They have lasted much longer, they survive despite the drop-off in mass migration from the South and they and their equivalents in other cities continue to encompass a much larger proportion of the black population. There is something different about black segregation, and even without the statistics, developed in profusion in this book, one can sense it.

The statistics do help, however, in ruling out the factors that fail to explain the high persistence of black concentration. Thus, it is not simply that blacks are poorer and cannot afford to move into much of the metropolitan area. It turns out that well-to-do blacks are as segregated as poor blacks. The authors note in contrast that the index of concentration of Mexican-Americans and Asian-Americans, when they become better off and move to more prosperous residential areas and suburbs, drops markedly. Nor is it the case, they argue, that there is any preference among blacks for the all-black communities in which so many live. Blacks prefer to live in integrated communities. A 1976 survey reports that 63 percent of blacks choose as their preferred neighborhood one that is 50 percent black, and very few prefer neighborhoods with higher concentrations of blacks (or all-white neighborhoods).

Still, there is more to this matter of preference—and its dynamic effects in interaction with others' preferences—than the authors allow. Their table of preferences also tells us that only 8 percent of blacks would choose as their first choice a neighborhood that was only 15 percent black. That is an interesting figure. The proportion of blacks in such a neighborhood would already be 25 percent higher than in the nation as a whole, and yet it is felt by most blacks to be not sufficiently integrated.

But note that another survey informs us that 72 percent of whites would feel uncomfortable in an area with a majority of blacks, and 64 percent would try to move. Thus the neighborhood that blacks would like, 50 percent black, is one that most whites would move away from, making it close to 100 percent black. This is a crucial element in the pattern of black residential distribution, and Massey and Denton do not really grasp its full implications. They do refer to the important article by Thomas Schelling in 1971 that demonstrated that very small preferences in whom one wants as a neighbor can aggregate, in the course of many moves in a large population, to produce a situation of massive segregation. Overwhelming antipathy is not necessary to create a circumstance of total segregation. Just a little bit of preference, by many movers, will add up in time to the same effect.

But this is only part of the story. We know that areas can change over from white to black in a very short time, and not simply on the basis of the aggregation of small preferences; so there must be more to the matter. The "more," to Massey and Denton, is not complicated. It is, quite simply, prejudice, and the institutional factors that implement it. Whites don't want to live near blacks, and can manage it so that they don't have to live near them. Despite all the legislation and all the court decisions, they have up to now managed to maintain all-white neighborhoods—which means that most blacks must live in all-black neighborhoods. When these are the poorer blacks, we have that aggregation of social problems that creates an underclass—poor schools, low employment, few marriageable men, many children born out of wedlock.

One must add something, however, to Massey and Denton's analysis of the causes of massive segregation. When it comes to causes, they present only prejudice. Perhaps it is sufficient to refer to the long and terrible history of racism and discrimination against blacks, ending with the current examples—one can find them every day in the newspapers—of outrageous attacks on blacks who move into white neighborhoods and are subjected to vandalism, bombing, threats of death. But there is another story, generally dismissed—in this book, too—as stereotype-mongering, and that is the story of the high rate of crime in black areas.

Blacks are indeed the chief and most immediate victims of such crime; but the victims are not blacks alone. One need not go into the story in detail. It is well enough known. When we refer to crime as a reason for resistance, avoidance and flight, is this simply the last rationalization in a historical sequence expressing an inveterate and irreducible prejudice? Or is it rather something with a basis in reality, something new, at least in its scale, something that has in large measure been responsible for the evaporation of the hopes of the 1960s? As the more traditional and irrational sources of prejudice declined in the 1960s and 1970s, new sources rose to take their place. To consider them simply a substitution of one prejudice, stereotype or rationalization for another is to ignore the fact that there were enormous changes in the other areas that I have mentioned—employment, education, political representation.

There were other factors, of course, that influenced the response of white homeowners and renters to an increase in blacks in a neighborhood. Many researchers, with their strong liberal inclinations, were never quite honest about the effects of an increase in black population on property values, a key issue in this nation of homeowners. The real estate brokers and banks might make money on the rapid turnover, and perhaps homeowners, too, if they got out at the right moment, but in very many cases property values dropped. The neighborhood became less desirable: not because blacks lived there, but because crime increased, schools declined and the public sphere was neglected.

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This argument as to why neighborhoods with a high proportion of blacks declined has been played out many times. The predictable response is: Why were the areas not better policed, the garbage not more effectively collected, the schools not improved? And yet, however the argument is conducted, the point is that there was a clear record of what all too routinely happened when the black proportion of the population in a neighborhood rose, and it was this record that made many integrated neighborhoods brief interludes between being all white and being all black.

There is little recognition in this book of these patterns and these effects of racial change. There is also little recognition of the limits of public policy in this area. In the army, men (and women) are assigned to units and are under orders. In the schools, students are assigned to classes and cannot escape their assignment except by subterfuge, going to private school or moving out of the district. (Even so, the integration of schools by government fiat has not been a great success.) People will not leave their jobs because blacks come in, and it is a rare American who will not work in an integrated job setting. But residence is another matter. People are not assigned to their homes, except in the 2 percent of the housing stock that is public. (Even there, a degree of choice—by rejecting an apartment in that project, or by rejecting public housing altogether—makes integration through public policy no easy thing to achieve.) Housing is a voluntary choice, within the limits set by income, and also by prejudice. As Massey and Denton admit, the pattern of black segregation, while it is imposed in many cases by not letting blacks in, is mostly the result of whites moving away.

How can public policy deal with that? Not very well. It is hard to be enthusiastic about the various proposals that Massey and Denton make. They will make government more intrusive, but they will not do much to increase residential integration. Prejudice, of course, is a reality; but it is now a reality undergirded by another reality, and that is the host of social problems that are identified with black communities. Not with all black communities, of course. There has always been a class of black professionals and executives and businessmen and government employees and stable blue-collar workers, and this class is much, much larger today. The misfortune is that race alone—its visibility—is used by most people as an economical classifying device to define a population with problems, even though any given individual has no part in these problems. This cannot be easily separated from the motive of simple prejudice. In a sense, it does not matter whether it can or cannot be separated. That is why our anti-discrimination laws are not concerned with motive, only with behavior.

Yet surely motive is not irrelevant. Government policies cannot police the host of individual actions—the millions of decisions to buy or not to buy, to rent or not to rent, to move or not to move, to give a mortgage or not to give a mortgage, to show a house or apartment or not to show a house or apartment—that add up to the segregation of blacks. In the end, black segregation will abate when the behavior that induces the motives of resistance or avoidance is reduced. Massey and Denton argue that the behaviors that now undergird resistance or avoidance cannot change while blacks are piled up in the ghetto, and that these concentrations must be broken up before the influences that may change the behavior—the better schools, the more numerous examples of steady work and family life—can come into play.

But the ghetto cannot be changed by dispersing it, because as matters now stand, the population among which it must be dispersed will resist or flee. Small changes are possible, and can be multiplied: moving individual families into suburban locations, as in the Gautreaux process in Chicago, and busing children to suburban schools, as in the Metco program in Boston.

There are more integrated neighborhoods today than there were twenty-five years ago. Neighborhoods with modest numbers of blacks—it is impossible to select any percentage as a "turning point"—may remain integrated for decades. When the numbers of blacks buying or renting begins to rise, as is likely in a neighborhood in which a substantial number of blacks live, it requires a good deal of management, by housing authorities, developers and civic groups, to maintain integration. These modest improvements have done little to make inroads on black ghettos. Massey and Denton make proposals for government action to do more. But a successful program for massive dispersal would require government action on a scale that is simply not possible in a democracy.

NATHAN GLAZER, co-editor of *The Public Interest*, is the author of *The Limits of Social Policy* (Harvard University Press), among other books.

The Religion of Fiction

BY MICHAEL LEVENSON

Angels & Insects: Two Novellas by A. S. Byatt

(Random House, 339 pp., $21)

Suppose that our modernizing century has been, on the whole, a mistake. Suppose that what it called liberation—in the arts, but also in politics, in religion, in philosophy—was only a new confinement; that its craving for revolution, with all its ferocities and its ambitions, made this modernity cruelly unjust to those who came before. Suppose, finally, that the older, nearly forgotten path of slower (call it evolutionary) growth, interrupted by our great-grandparents, the whooping young modernists, remains for us to resume.

A. S. Byatt frequently gets called a postmodernist. Fine. She does go in for smart parodies of earlier narrative forms; she enjoys literary gamesmanship; and like many teasing contemporaries, she breaks up her stories with stories about her stories. But you miss a good deal of what is most interesting in Byatt, and what is most significant in the movement of which she is a part, if you ignore the way her postmodernity finds its ground in something else, something older, namely an earnest attempt to get back before the moderns and revive a Victorian project that has never been allowed to come to completion. What you have in Byatt is an odd-sounding but perfectly intelligible creature, the postmodern Victorian. She knows where we live and when; she knows her Joyce and Woolf and Beckett; but she is undeterred in the belief that the road into the twenty-first century winds exactly through the middle of the nineteenth.

Just over thirty years ago, Iris Mur-

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doch published an essay called "Against Dryness," which built an image of the modern novel as diminished, depleted and thin, failing badly in two opposed ways: through an excessively tight formalism, which produced overly polished jewels of authorial control; and through loose journalistic rambles, the lazy, loopy meander through anything crossing the path of reverie. Different as they were, the two forms shared a cult of the brave, lonely ego—solitary, adventurous, free—aiming to fulfill its private destiny. Lost was the older, thicker sense of the ego in community, of a novel full of many separate beings, of a world beyond the self. Authenticity, sincerity, self-assertion: these were for Murdoch the meager modern legacy, bequeathed by a philosophy of subjectivity and a politics of happiness. Against this dryness, this fetish for the lonely, authentic self spreading the feathers of its "brave naked will," Murdoch invoked Jane Austen, Leo Tolstoy and George Eliot, who produced thick social fictions that never forgot "that other people exist."

In a formulation that Byatt calls "electrifying," Murdoch praised the "hard idea of truth" at the expense of the "facile idea of sincerity." Byatt, who wrote a critical study of Murdoch early in her own career, returns frequently, even obsessively, to "Against Dryness," citing her favorite phrases as if to remind herself of what she believes. Murdoch has been her literary mother. The two of them alone are enough to count as a distinct contemporary lineage, nourished on the conviction that, our modernist complacencies aside, our Victorian origins are unresolved, unsurpassed.

Three years ago *Possession* gave Byatt big international success. It not only brought her fame, it gave her career a new roundness. Much of the earlier fiction was quickly and finely reprinted. Scattered essays were collected. Translations, introductions and interviews crowded her life. After two decades of writing, her work assumed a more vivid shape for her readers, and still more interestingly, it seemed to assume a more vivid shape for Byatt herself. Now, in the long middle of her career, her intentions seem sharper, her future more interesting than it has been before.

The two novellas that make up *Angels & Insects* are not yet that future, but they are signposts. Taken together, they show the reach and the promise of the Byattian project of resuming the incomplete work of the past. In the first of them, "Morpho Eugenia," the Victorian scientist William Adamson, a student of ants, beetles and butterflies, comes home to England after years in the rainforests of South America. Most of his specimens having been lost in a shipwreck, Adamson, estranged and friendless, faces personal catastrophe. But then the Reverend Harold Alabaster, a wealthy baronet and an amateur naturalist, invites Adamson into his grand mansion, where the shattered scientist is given free rein first to rethink his studies and then to marry Eugenia, the beautiful daughter of the house.

Adamson finds himself back inside the mid-Victorian matrix, with its class rigidities, its religious panic, its moral agitation. He looks for solace in the insects. Turning his practiced eye to a colony of ants living on the grounds of the estate, he initially finds an alternative to his tense family life, but the longer he looks, the more clearly he sees his own world reflected in the mirror held up by the little bugs. Adamson fights those analogies. He doesn't want to know himself as a drone recruited to serve his more powerful conquerors, the country-house aristocracy with its endless appetite for blood, money and horsemanship.

But his denials aside, "Morpho Eugenia" is intent on forcing the thought that seen from a height, watched across centuries, we humans creep and crawl, scratch and burrow like any other low creature moving close to the surface of the planet. Are we little more, too little more, than the insects? When we watch the ants, making war, making love, carrying crumbs, building ant cities, stealing ant babies, can we keep from growing dizzy? The old shudder of Darwinism is what Byatt's story wants to give.

And why shouldn't we still shudder? What have we become that we have forgotten the shock of our origins? Byatt has accepted from Murdoch, who accepted it from George Eliot, the urgent literary imperative to make struggle against fantasy. This is Byatt's version of their realist credo: "That there is a hard reality, not ourselves, which is not amenable to our planning, plotting and power-strategies." So "Morpho Eugenia" thrashes Adamson's self-deceptions, his blindness to class and domestic violence, his cult of innocence and beauty, forcing him into the rude perception that what we call civilization is a fancy name for our animal contrivances.

A natural history of the ant colonies is what Adamson writes, but Byatt makes clear that a "natural history" of humanity is what any strong novel must be. It must disregard the fantasies of species-pride that we use to cheer ourselves up. It must face up to the Darwinian nightmare, well expressed by Tennyson when he enters the second novella, "The Conjugial Angel," as a shambling, frightened old man:

> Men now saw what he saw, the earth heaped and stacked with dead things, broken bright feathers and shriveled moths, worms stretched and sliced and swallowed, stinking shoals of once bright fish, dried parrots and tigerskins limply and glassily snarling on hearths, mountains of human skulls mixed with monkey skulls and snake skulls and asses' jawbones and butterfly wings, mashed into humus and dust, fed on, regurgitated, blown in the wind, soaked in the rain, absorbed.

If that were all, it would be bad to be alive. But it is a first principle of the natural history of humanity, as Byatt inherits it from Eliot, that you must tell all, where "all" includes not only the bad moments when we know ourselves to be beasts among the beastly, but also the moments of shivering insight when we feel that we float like angels under the eye of a winking mystery.

If it were only a matter of finding an open space between the Angels and the Insects, being human would be easy.

The Master Stroke

for Xon de Ros

The hair stands on end and waits to be split
  by the heft of the little axeman.
The two halves peel the length of the hairshaft
to the applause of two ladies-in-waiting
whose calves are like four table legs.
The hair that's split is split again.
  That's not a hair the axeman says
it's a silk thread, a grass blade, the moth's antennae.

I dream at night beside the wedge-shaped tower,
  a glass axe buried in the earth.
Inside the column built inside the tower
they split a single atom into halves
then both halves have to spend their halflives
seeking the other half they'll never find.
  That's not an atom the axeman says
it's a misprint, a mutant, the mote in your eye.

JAMIE MCKENDRICK

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What makes it hard in Byatt's world is that we are hybrid beings who go wrong when we seek purity of any kind. In "Morpho Eugenia," Adamson must free himself from class indignity and sexual humiliation by seeing the insect in the human, where this means understanding the natural cruelties beneath the myth of Victorian family harmony. Only if we know ourselves as partly animal can we be fully human. This implies, among other things, that to exaggerate our creepy crawliness is as dangerous as to ignore it, and further along this line of thought, that our human chances depend on knowing that we two-legged insects are also fallen angels.

Thus the perspective in the second novella turns upward, not to transcend this world but to bring higher visions down into the earthly mix. The events of "The Conjugial Angel" take place in the mid-1870s, a little more than ten years after the time of "Morpho Eugenia." Byatt the precise Victorianist knows that the brief period saw some large changes, including, for instance, the great vogue of drawing-room spiritualism, with its séances and mediums, its dark closets and mumbled voices and apparitions. She has described this as "the religion of a materialist age," part of a craving to confirm a threatened faith through visible proof of the life immortal. Bowing under the worldly pressures of science and industry, Darwin and advertising, a more desperate band of seekers looked to find spirits as material as any other commodity in the new commercial age.

They fought death with all means available, with "animal magnetism" and "aethereal telegraphy"—and then also with poetry. No Victorian death was more extravagantly resisted, not even the death of Prince Albert, than that of Arthur Henry Hallam. In 1833 he was gone at twenty-two. Seventeen years later Tennyson published "In Memoriam," the more than 100 lyrics of his long mourning for this friend. From this point, Hallam's untimely death became the type for all inexplicable suffering and for the fragility of faith under the heavy tramp of science. "Next to the Bible," said Queen Victoria, "'In Memoriam' is my comfort."

But of course Hallam's death caused other, less literary, less public, griefs. The conceit of "The Conjugial Angel" is to ponder the case of Tennyson's sister Emily, engaged to marry Hallam after knowing him just four weeks, and condemned to represent the Bereaved Lover frozen into a pose of "perpetual maidenhood" (her brother's phrase). After nine years of mourning for Hallam, she married a Captain Jesse, and "The Conjugial Angel" imagines what it must have been for Emily Tennyson Jesse to endure the sniffy opinion that she should never have married, but should have burned always for the young god Hallam. What must it have been to be married to another when "In Memoriam" appeared with all its steadfast, untainted fidelity? What must it have been to age with the memory of an absurdly short romance, longing to settle emotional accounts with the ghost of the young lover?

Building on the fact that the aging Emily Tennyson Jesse attended séances and dallied with the spiritualists, Byatt imagines her way into this spiritually edgy world. She invents a circle of initiates who yearn really to see what they hope they believe. A second leading character in "The Conjugial Angel," Mrs. Lilias Papagay, has drifted into the séance business, looking first for word on her lost husband and then finding a tidy profit in hosting respectable sessions with the ghosts. Byatt neatly tags her as "an intelligent, questioning kind of woman, the kind who, in an earlier age, would have been a theologically minded nun, and in a later one would have had a university training in philosophy or psychology or medicine." But Byatt, I suspect, rather likes Mrs. Papagay just where she is, neither devout nun nor rational psychologist, caught in the twisted branches of sex and money, even as she yearns to see an angel in the sunset.

For Byatt, those twisted branches, this yearning, are ours, too. She has described late Victorian spiritualism as "part of a whole shift in religious feeling," and she sees us in our own late century as living in the same spiritual swamp. But this perception is entirely without scorn. Byatt may not believe in the truths of religion, but she unquestionably believes in the belief. And so she takes pleasure in recalling George Eliot's religious progress from "evangelical Anglican" to "resolutely anti-Christian" rationalist and then finally to the larger, more generous humanism that "saw Christian belief and morality as forms of human experience that must be studied and valued as part of our natural history." This is what Byatt appears to want for herself: she wants to be the natural historian of a post-Christian spiritual life.

All through Byatt's writing life, she has reflected on the way we earthly beings dream of spirit. She is a Realist, a post-Christian, a sometime academic living in skeptical times. These may seem heavy drags on the religious turn, but for Byatt these are simply the latest natural conditions for our spirit-hunger. It's no use whining. Her point is not to confirm religious truth, but to enlarge the religious sense, which locates value not in the infinite but in the yearning for the infinite, not in God but in the search for God. In a more than clever analogy, Byatt has drawn a connection between the "afterlife" of the Bible and the "afterlife" of the nineteenth-century novel. We live in the shadow of both. But the task, as she sees it, is not to get out from under the shadow into the white modern light. It is to respect and to love our old shadowy needs, to keep faith with faith, and with realist fiction.

The insight—you might even call it the revelation—that seems to have clarified for Byatt through the writing of *Possession* is that a novel might not only be about the act of faith; it can itself be the act. Soon after *Possession* appeared she wrote a long essay on the persistence of belief in nineteenth-century culture, in which she took the French historian Michelet as a beautiful instance, beautiful because in choosing a name for his history, Michelet rejected "Narrative" and "Analysis" in favor of "Resurrection." To write history (or, by extension, historical fiction) is to resurrect the dead, it is to raise Lazarus: this thought is made for Byatt. It leads quickly to her own elevated vision for the contemporary novelist, who through strenuous imagining might herself raise the dead, and it encourages her in the proud thought that what religion was, literature can now be.

At the end of "The Conjugial Angel," when the ghost of Hallam appears to appear, Byatt's reader must experience

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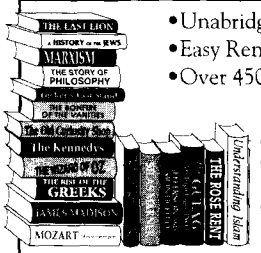

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an unnerving double response. The first instinctive mockery of those who see ghosts gives way to a second, less cozy recognition that we novel readers are always seeing ghosts. Every character is an apparition. Whenever we lend solidity to the stories we follow, we are living proof of a visionary capacity almost always undervalued. Byatt's purpose is to push this fact about fiction into the foreground of consciousness, so that reading novels becomes the training of vision.

She asks no one to believe in God, and she doesn't tell us to pray. But lately she wants to remind us at every turn that our species has an entrenched habit of looking into the sky, and however little that may tell us about the sky and beyond, it tells us a good deal about our believing, hoping, fearing selves. We do want thicker characters alive in many dimensions. We do want to summon the fading impalpable past. Many of our most disbelieving friends call certain things "sacred." Some of the most worldly among us throw embarrassed upward glances at the highest blue.

MICHAEL LEVENSON teaches English at the University of Virginia.

Gender Benders

BY DAVID NORBROOK

Writing Women in Jacobean England by Barbara Kiefer Lewalski

(Harvard University Press, 431 pp., $45)

On the cover of Barbara Lewalski's new book, Anne Clifford, countess of Cumberland, is placing her right hand firmly on a Bible and a philosophical work. Behind her are two portraits of men; the top of the upper portrait has been cut off to fit the cover. They are her deceased husbands, and the accidental decapitation has its appropriateness. In the autobiographical triptych that was painted for Clifford, her parents are depicted in full, but her husbands are reduced to a secondary epistemological level, to a part of her collection along with her books—to the same level, in fact, as her governess and her tutor, the poet Samuel Daniel, whose portraits are almost as large. Clifford commissioned the painting after a thirty-year legal battle to regain large parts of her father's estate against the claims of male relatives. She was in control of the inheritance not only of her lands, but also of her self-image.

Lewalski presents us with nine women of the Jacobean era who sought, and to varying degrees gained, similar control over their images. In doing so, Lewalski aims to counter a tendency in recent studies of the early modern period to downplay such agency, to present "Renaissance man," and still more "Renaissance woman," as passive constructs of political power. The reign of James I is often seen as marking a setback for women, after the advances in their educational opportunities in the sixteenth century, culminating in Elizabeth's successful reign. The misogynistic James strongly advocated patriarchal power in the state and in the family.

Lewalski contests this analysis—which had already been challenged by Margaret Ezell's important study *The Patriarch's Wife*—with a detailed examination of a cross-section of prominent women. She starts at the top: one of the most remarkable features of her book is her demonstration that opposition to that particular imagery of patriarchal politics came from James's own wife, Anne of Denmark. Though an extensive critical literature has grown up that sees the court masques of James's reign as manifestations of kingly power, Lewalski points out that the major initiative in their creation came from the queen; and also that the masques she sponsored created images of female public virtue.

From the standpoint of 1993, it is almost too good to be true that the queen's very first chosen disguise in a Jonsonian masque should have been as a black woman. Her daughter Elizabeth, who married the Elector Palatine, backed her husband's claim for the Bohemian throne so vehemently that she became a focus for opposition to her father's pacific foreign policy. James's first cousin Arbella Stuart was raised with a humanist education that gave her, as a woman with a claim to the English throne, very high expectations. Such expectations help to explain why a woman denied all experience of public life should have been so confident that she was fit to rule the realm. Her marriage into a family that also had rival claims was a defiance of the most extreme kind. "I am deaf to commandments and dumb to authority," she declared.

Lewalski's next trio represent different social levels of cultural and literary activity. The Countess of Bedford exercised considerable influence, not only as a patron of writers such as John Donne, Samuel Daniel and Ben Jonson who helped to shape her public image, but also as a critic of James's foreign policy. Anne Clifford presented herself to the public in paintings and monuments, and also represented herself more intimately in an early example of the personal diary. At a lower social level, Rachel Speght was ready to enter print to counter a misogynistic pamphlet and to vindicate female learning.

These detailed accounts of the political and cultural milieu provide a context for Lewalski's analysis of three major Jacobean women writers, all of whom were ready to challenge masculine hegemony. Elizabeth Cary defied her husband, who was a militantly Protestant lord deputy of Ireland, in the most sensitive of all ways by turning Catholic. She flouted conventional disapproval of female authorship, and still more of female publication, by having a verse tragedy printed; she also ventured into the traditionally masculine sphere of political history. Aemilia Lanyer, in one of her poems, contested that most basic of all negative images of women, the image of Eve. While the major Elizabethan woman writer Mary Sidney had devoted much attention to safeguarding her brother's literary image, her niece Mary Wroth composed a sonnet sequence and a huge romance of her own; her satire of one of James's favorites was so vehement that the *Urania* was recalled immediately after publication. Lewalski has devoted a fair amount of these chapters to exposition, given that the works discussed are relatively inaccessible (the second part of the *Urania* was never printed, and there is still no full modern edition of the first). But Lewalski also indicates areas of debate and offers her own judicious overviews. If her readings lack the intellectual adventurousness of some recent feminist criticism, they do at least give a clear sense of the writer's fundamental concerns.

Quite a lot of what Lewalski has to say will be known to specialists in the study of early modern women writers, but her book offers an unprecedented range and richness of detail; it is now the definitive study of the subject. And

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Lewalski is rightly concerned to bring the issues before a wider audience, to contest "the unfortunate balkanization of our intellectual landscape." In present political circumstances that metaphor may seem unfortunate, but it is true that the disintegration of the traditional canon has tended to divide literary studies into discrete territories that scarcely communicate with one other.

Thus, work on Renaissance women writers has yet to be properly acknowledged in accounts of the received canon. Ben Jonson's "To Penshurst," for example, has long been acclaimed as founding a new genre, the "country house poem," but Lanyer's "At Cookham" has good grounds for taking precedence. And Lanyer's far more insecure presentation of patronage relationships makes Jonson's presentation of a securely ordered hierarchy look much less representative than has been assumed. Standard accounts of the Elizabethan sonnet need to be qualified by the distinctive twist that Wroth gave to the form at a time when it was normally held to have already been extinct.

Awareness of women writers and patrons also throws light on larger questions of cultural history. While scholars concentrating on the traditional canon have seen its writers more and more as passive effects of political power, the growing body of work on women writers has instead put the emphasis on female self-empowerment. If such prominent women were willing to challenge King James, is it really plausible that the men themselves were as submissive as the determinist perspective would have it? In fact, evidence has been emerging for some time that there was a kind of poetic "opposition" in the Jacobean period. In surveying such a wide range of cultural milieu so comprehensively, Lewalski's book makes clear for the first time how close the links were between many of the "Spenserian" poets and these "oppositional" women. *The Faerie Queene* became a focus of nostalgia for a more vigorously anti-Spanish foreign policy under a woman ruler. It is significant that Anne Clifford should have erected a monument to Spenser in 1620, at a time of rising discontent at James's refusal to support the cause of Princess Elizabeth.

Lewalski's book opens up exciting prospects for connecting differing forms of political opposition, and in this sense for countering "balkanization." Up to a point, of course, it is precisely a kind of balkanization that has allowed the evidence to emerge. Without the energies of the feminist movement, we would not have seen the wholesale recovery of such large areas of cultural history. Not that they were ever entirely lost from view: there have been male scholars, such as George Ballard, who have devoted great energy to recovering female writers. Still, it remains true that the major impulse has been associated with feminist politics (though in stressing the achievement of the last ten years, Lewalski underplays the achievement of earlier generations of feminist scholars around the turn of the century). Until recently, reference works have often subsumed the achievements of female writers under those of their husbands. Males have done their own balkanizing.

Yet there are problems of anachronism, as Lewalski acknowledges, in trying to line up these Jacobean writers under the banner of modern feminism. As a critic with a distinguished record of historical scholarship, she is in no danger of wrenching her writers violently out of their contexts; and it is also worth saying that a generation ago, many scholars would have dismissed the whole notion of a community of Jacobean women writers as anachronistic, a term that frequently disguises a lack of historical imagination. All the same, the need to find a common language to describe such disparate figures does sometimes produce problems. Lewalski finds a common trait in their resistance to what she terms "Jacobean patriarchal ideology." "Patriarchy," however, is a tricky and

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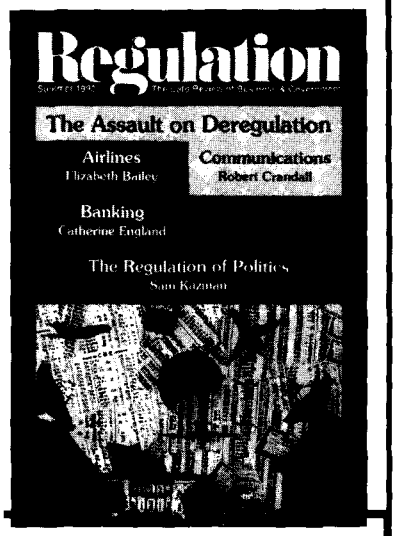

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much-contested term, extending from specific family structures to more general ideological patterns. James's absolutist claims to being father of the realm belong to a particular political ideology, some of whose fiercest opponents still believed in women's natural subordination. Women who challenged King James were not necessarily undermining all forms of patriarchal order.

The more monolithically "patriarchy" is conceived, of course, the easier it is to show how women subverted it; and the easier it is to present all males as eternally lined up in the cause of keeping women down. That way, however, lies a kind of balkanization that Lewalski is concerned about contesting, finding instead that these women sought recognition as part of a common humanity. The latter concept has been much contested, of course, in recent cultural theory, which has tended to equate such "humanism" with a repressive, monolithic, masculine structure of rationality, and to link the feminine with difference and subversion. Lewalski declares herself uneasy with the term "subversion," but she does on occasion find it hard to locate an alternative to the current idiom, even though it may be slightly at odds with the overall drift of her analysis.

We may ask, for example, whether "rewriting patriarchy" is the right term to apply to the Countess of Bedford's cultivation of male poets to praise her rare virtues. Lewalski repeatedly applies the "subversive" label to Queen Anne's masques. But if spending large sums of public money to have oneself acclaimed as divine is subversive, what vocabulary do we have left to describe what might have happened if Anne had instead persuaded her husband to finance women's education? Lewalski concedes that the "subversion" may not have been "fully conscious," that Anne's goal may have been merely to enhance her own status. One appeal of the word "subversion" for some theorists is that it implies the eruption of forces beyond rational control, so that practically any text may be claimed as subversive on certain terms. But in a book so concerned to insist on these women's conscious and autonomous agency, this deflection of resistance to the unconscious sounds rather odd.

In literary terms, too, readers expecting "subversion" may be disappointed. The term is often taken to imply an overthrow of Western rationality, a joyful attempt to write "from the body." By those criteria, Lewalski's writers are a rather sober group, and she is cautious about making excessive claims for their poetic merit. In some ways the most unconventional is Lanyer, who sharply challenges the norms of complimentary verse. But in the Jacobean period such challenges tended to be made in the name of reason rather than in the name of the female body. For Wroth, as Lewalski shows, writing poetry is more Apollonian than Dionysian; the women writers in the *Urania* who fail to distance their experience from their writing are in for trouble. Certainly Wroth does pay far more attention than male writers to female subjectivity; but it seems to be stretching a point to say that praise of certain women as having a manlike spirit proves that "the text reaches toward androgyny." In fact, Lewalski carefully demonstrates ways in which women writers shared in common literary forms and conventions of the period, albeit giving them a distinctive slant: Cary's anatomy of tyranny in her play *Mariam* has affinities with other closet dramas that touched on sensitive political ground.

Where current cultural criticism tends to see the literary canon as playing a particularly repressive role in keeping women down, the women whom Lewalski discusses often seem to have turned to the poets as offering a sympathetic perspective. Clifford spoke of reading Chaucer so that part of his divine spirit could infuse itself into her and make her scorn her troubles. As Lewalski reminds us, she is here echoing Spenser's own appeal to Chaucer's spirit; like other Jacobean women, she approached the literary canon "not as an exclusive male preserve but as common human property, ready to be reclaimed for women." It would be hard to present Clifford's literary interests as a mere helpless parroting of the dominant ideology.

But then, Clifford was a rebel only in a strictly limited sense. She fought vigorously against male claimants of her patrimony; but having gained it, as Lewalski puts it with a characteristically wry qualification, she "ruled her little domain as a (usually) benevolent despot" who sued her tenants to recover contested rights. Elsewhere in the book, we find Lanyer obliquely complaining at the arbitrary way in which Clifford and her mother could bestow or withdraw their patronage. With the exception of Lanyer and Speght, the book concentrates on women of high social status; and it was precisely that status that enabled them to claim a particular degree of freedom and agency. These women do not seem to have identified common interests with women lower on the social scale. And in fact, in its courtly emphasis, the book omits one of the most interesting developments in women's political agency in the period: the appearance of some nonaristocratic women at the polls to claim the right to vote. That was a very different form of self-representation from appearing in masques.

Religion, as well as social status, makes it difficult to link these women as a coherent ideological bloc. Queen Anne was a Catholic, and forwarded a pro-Spanish foreign policy, the antithesis of the stance taken by her own daughter. Issues of gender were indeed involved in religious affiliations: Catholicism does seem to have had a growing appeal to a number of aristocratic women, partly because the more militant forms of Puritanism purged away such female centers of interest as the Virgin Mary. But that does not explain why so many sixteenth-century women were drawn to Protestantism. Lewalski presents Cary's reading in religious controversy from the fathers to More, Calvin and Hooker as part of "an ongoing process of self-definition."

In her concern to avoid seeing women as determined by their society, she frequently adopts the postmodern terminology of life as artifact: women do not hold particular convictions, they script or construct themselves as holding them. The emphasis on agency is perhaps gained at the cost of a certain reductiveness, at a time when religious allegiances involved such urgent risks and commitments. And women can be credited with helping to shape intellectual currents that cut across gender: Cary's allegiances formed part of a reaction against sixteenth-century political traditions in which many men shared, and which culminated in a civil war whose sides were in no sense aligned by gender.

It is hardly surprising that women did not form a coherent political or cultural bloc at a time when political differences were always tempered by common structures of patronage and kinship. Lewalski has nonetheless produced a fascinating amount of evidence of interconnections between the women she studies, enough to give her book a genuine unity. There are conceptual as well as empirical problems in writing the history of early modern women, yet one of the chief merits of Lewalski's book is that its breadth and depth of coverage allow readers to make their own judgments. From now on, generalizations about the Jacobeans will have no excuse for excluding half the population.

DAVID NORBROOK teaches English at Magdalen College, Oxford, and is the editor (with Henry Woudhuysen) of *The Penguin Book of Renaissance Verse.*

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CAPE COD DIARIST

Boom

WE ALL HEARD ABOUT (AND SHUDdered at) the torching of Turkish Muslim *gastarbeiter* by German skinheads in Rostock last spring. Such events in Germany are big news, as they should be: Do the happenings augur a neo-Nazi revival? These outbreaks of violence against innocents ought to be cautionary tales. The lives of other people are always cheap in the calculus of fanatics. There are cultures, and I include certain precincts of Western culture, in which the thin line between extremism and murder is especially thin. In Turkey, on July 2, the line vanished entirely. A group of Turkish writers and intellectuals, including the translator of Salman Rushdie's *Satanic Verses*, had gathered in a hotel in Sivas, a smallish city near the center of the country, to commemorate the death of Pir Sultan Abdal, a sixteenth-century dissident poet executed by the sultan. Alas, the presence of these "atheists" offended the local Muslim zealots, hundreds of whom, after Friday prayers, swarmed to the hotel to lynch the visitors. But, as the Associated Press observed, they set the building on fire instead. More than forty writers were killed and some 150 were injured. I remember Islamic fundamentalists rioting in Turkey to protest the death-happening in Rostock. I guess they had no complaint against torching per se.

DOUGLAS JEHL APPEARS TO BE *THE New York Times*'s new instant expert on terrorism. In an article written in the wake of the arrest of nine of the faithful, accused of planning a July 4 massacre in New York, he groused that the government had not yet fully grasped that "Middle Eastern terrorism had arrived in the United States" although "there were signs last week that authorities were beginning to make up for past errors." He attributed the "slow awakening" to old habits and notions, insularity, inattention, inefficiency, etc. He might also have added his own writings to the list. Only seven days before the World Trade Center bombing, Jehl was arguing that the possibility of a terrorist jihad in the U.S. was alarmist propaganda, something "Israeli officials are now seeking to imprint in the American consciousness." Oh yes, he reported, there were terrorist sympathizers in the U.S. and fund-raisers for terrorism, too, but we have to be able to distinguish "ferment from violence." If we are to take Jehl at his word, I suppose we have to believe that the terrorist operatives who are now being held, and the others yet to be detained, must have come to America in the last four months, between the time he wrote his first article and his last.

"BOOM! BROKEN WINDOWS, JEWS in the streets." Here, on wiretap, speaks one of the arrested conspirators, anticipating his glee from the planned bombing of the diamond district on New York's 47th Street. And all along I had thought these enemies weren't anti-Jewish, just anti-Zionist. Another zealot is heard on the same tape describing the targeted area as "the heart of Israel here in Manhattan." Of course, in this he is wrong. Most of the ultra-Orthodox Jews who work on 47th Street believe that the establishment of the Jewish state was a blasphemy: the Zionists had trespassed on what was supposed to be God's work, and His alone. A new high, or low, in the chutzpah of the ultra-Orthodox was reached last week, incidentally, when spokesmen for these Jews who have done least for the Jewish state secured the resignation of Tom Dine from its American lobby, because he had told a reporter, quite accurately, that there are class prejudices within the Jewish community against them.

THERE IS ONLY ONE NATIVE-BORN American, a black Muslim, in the twin cohorts of bombers and would-be bombers now in jail. The rest are immigrants, some legal, some not. One of the legals was about to become a citizen. Why do they come to America? "The U.S. is the only place where we can practice Islam freely," an Egyptian chemist told the *L.A. Times*. The "only" is surely an exaggeration. It indicates, nonetheless, that many Arabs were drawn here for the same reasons of freedom and opportunity that drew others, from the Puritans to the Jews, the Irish to the Vietnamese. What lured these newcomers also made them patriots. I worry that for a large number in the new wave of Muslim immigrants that is simply no longer the case. For them America is just another battlefield for jihad. Or, as an Egyptian cabdriver in Jersey City put it in the same *L.A. Times* story, "The Muslim community here has changed for the worse. More are coming with no commitment to the USA. If they don't know how lucky they are to be here, they should be sent back for good." Of course, it's difficult to send people back, and it should be. The effort to sift for who would make a good American properly begins at consular offices abroad.

WHEN TERRORISTS STRIKE HERE at home at least no one fails to call them terrorists. (One mitigating but meaningless characterization comes from *The New York Times*'s Francis X. Clines, who has invented the oxymoron "secular jihad" for their venture.) But when they strike in Israel they are called gunmen or guerrillas or, by some phantasts, like the author of the recent Congressional Research Service report on Hamas, "freedom fighters" and "social workers." Terrorists have struck twice in Israel in recent days, both times in Jerusalem. In the last incident, a woman was severely stabbed in Yemin Moshe, the first neighborhood built outside the Old City walls, and a Jewish neighborhood from the beginning at that. In the midst of this escalation of terror against tourists and Jewish civilians comes a report from Middle East Watch, released in June, accusing Israeli undercover army units of unprovoked murder and working under a "license to kill" Palestinian Arabs. I am prepared to believe that there are rare occasions when one or another of these units acts with hardly more justification than the ATF did in Waco. But I do not trust Middle East Watch, not least because Gary Sick is its chairman. And it's not simply because Sick bears animus toward Israel. He proved himself wanton and reckless in trying to persuade the country of the October Surprise, by certifying the evidence of so many sicko fabricators that he must himself now be counted in their ranks. But, beyond this, I understand something about his informants that it is not very P.C. to assert: that people who know how to preen before Western television cameras also know how to preen before Western human rights activists. There is not, after all, among Palestinian militants a big premium on telling the truth. And public relations aside, Palestinians who are captured in the war that they are fighting against Israel cannot expect to be treated as if they were white-collar criminals. In any case, according to Freikh Abu Madyan, a member of the Palestinian delegation to the peace talks, several Gazans, now being held in Egyptian prisons but wanted in Jerusalem for terrorist activities, have asked to be turned over to Israeli authorities rather than remain under Cairo's jurisdiction. This tells you more about justice in Israel than anything Sick's Middle East Watch has mustered or helped to contrive.

MARTIN PERETZ

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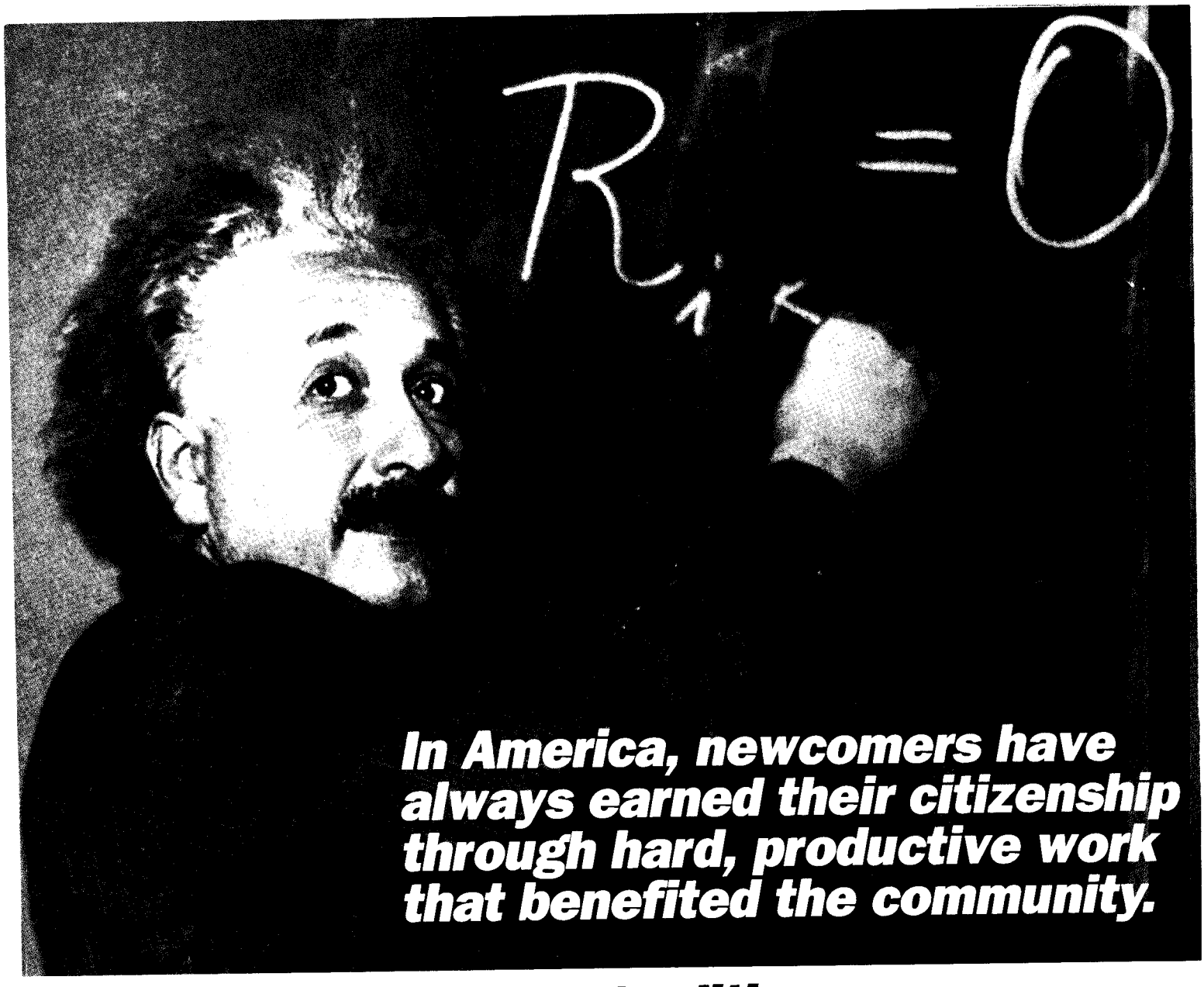
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